

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

MANASQUAN PLANNING BOARD
MINUTES
SPECIAL MEETING
MASTER PLAN
DECEMBER 6, 1988

The Planning Board of the Borough of Manasquan held a special meeting to discuss the Master Plan on December 6, 1988. The meeting was called to order by Board Chairman William Donovan at 6 p.m.

Roll Call: Present: Mr. Donovan, Mayor Winterstella, Mr. Iannelli, Mr. Stanley, Mr. Ruf, Mr. Diamond, Mr. Waltzinger, Mrs. Ronan.

Absent: Mrs. Danish.

The Board Attorney, Secretary and Planner were also present.

Paul F. Szymanski, planner, discussed the evening's agenda, which he said would relate to 1.) the relationship between the municipal master plan and the state redevelopment plan, and 2.) the C-Zone along Taylor Avenue. He also discussed topics for the January, February and March master plan meetings, including identification of any vacant land, zoning classifications, draft of a housing plan and any zoning changes to be made.

Mr. Szymanski noted that the New Jersey State Planning Commission is presently finishing up its Preliminary Plan, which is expected to be released December 19, 1988. After that, the state will initiate a cross acceptance phase; this will permit local communities to offer input into state or local plans.

The Board once again discussed the COAH and Fanwood situation, and Board Attorney John T. Pandolfe Jr. stated that in order for someone to create a redevelopment project, they would have to assemble a large plot of land.

In regards to the Draft Preliminary State Plan, Mr. Szymanski reported that Manasquan has been designated a Tier 2 Growth Area for the geographic area west of the New Jersey Transit railroad and as a CAFRA development region east of the railroad. A Tier 2 Growth area is "A Stable City and Suburb". Its primary goal in the state plan is to sustain some growth while preserving the character of the community and the quality of life. Infill development and *redevelopment* should be combined with needs for public service requirements in the area according to the plan, said Mr. Szymanski. The CAFRA Development Region, states

The Coastal Area Facility Review Act, is largely developed; from a coastwide angle, any development in this area would be infill. Development in this region is preferred over development in other regions, with infill, extension and some scattered development acceptable.

Board Member Stanley asked Mr. Szymanski to define infill and redevelopment. Mr. Szymanski said that infill basically means use of vacant land while redevelopment is when one assembles land with buildings on it that are in poor condition and then tears the buildings down.

Mr. Szymanski also noted that the state plan calls for municipalities lacking in vacant land and who will depend on redevelopment for new growth to prepare a redevelopment element as part of their updated master plan. He said that he did not think it was necessary in Manasquan yet and that it was "almost like targeting certain areas for some kind of land use change over time." Mr. Szymanski said that some of the areas needing upgrading will be targeted in master plan sessions. He also told the Board that they could change the Master Plan or zoning ordinance at any time.

Board Chairman Donovan brought up the issue of the area by the Osprey (First and Third Avenues, Main Street and Brielle Road), stating that a proposal had been brought before the Board to place condominiums there. Mr. Szymanski stated that he would be bringing that particular area up for discussion at the January meeting, commenting that he would raise the issue of whether the area should retain a B2 (resort business) designation or be changed.

Mr. Szymanski said he did not think that there would be anything in the state plan which would upset Manasquan or visa-versa. He said the only conflict may be open spaces vs. development.

Mr. Szymanski then started to discuss the C (commercial) zone located along Taylor Avenue. Topics included parking and possible zoning changes in the area. He suggested an idea to construct a common road which would provide ingress and/or egress to the buildings there. He also commented that unless something of that nature was done, a real traffic problem could develop in that area.

The Board discussed with the Planner possible areas of entry and exit from such a cross passageway.

Draft of Minutes of the Manasquan Planning Board's Reorganization and first meeting of 1988 held on January 5, 1988 in Borough Hall. All members, Board attorney and Board secretary were present.

Worksession at 7:00 PM. Board attorney J. Pandolfe reviewed Resolutions 1 through 5 Reorganization for 1988 Planning Board meeting date, attorney, planner, engineer, secretary chairman and vice chairman, and agenda for the evening.

Minutes of the December 1, 1987 meeting were approved.

Resolution 1-88 - Appointment of Chairman and Vice-Chairman. Motion made, seconded and passed to appoint Richard Newman Chairman and William Donovan Vice-Chairman.

Resolution 2-88 - Employment of Attorney and Experts. Motion made, seconded and passed to appoint John T. Pandolfe, Jr. Attorney; Paul F. Szymanski Professional Planner and William P. Farrell Engineer.

Resolution 3-88 - Public Meetings 1988. Regular scheduled meetings of the Planning Board were set for the first Tuesday of each month with the exception of the February meeting which will be held on Wednesday Feb. 3, 1988. Additional meeting dates were set for Feb. 23, March 8, 15, 22, 29 for Special Hearings on Gem Associates if needed. Motion made, seconded and passed.

Resolution 4-88 - Official Newspapers. Motion made, seconded and passed to designate the Coast Star the official newspaper, and secondary papers the Asbury Park Press and the Wall Herald.

Resolution 5-88 - Appointment of Secretary. Motion made, seconded and passed to appoint Sue Frauenheim Secretary.

Resolution 6-88 - I-Mail Use Permit to operate a business in the Beachtree Associates Building on Route 71. Motion made, seconded and passed to approve Use Permit subject to several conditions.

Resolution 7-88 - Holy Trinity Luthern Church Minor Subdivision Lot 5A Block 34. Motion Made, seconded and passed.

Site Plan Application PTAT Systems, Inc - Lot 2, Block 54 On private road off Sea Girt Ave. East of railroad tracks. Applicant proposes to erect one story Cable Building which will house equipment to be used in a trans-atlantic communication system tied into a base in England. Applicant's attorney, James D. Carton, III entered following documents into Exhibit: Exhibit I - application; Exhibit II Plat Plan and Title Sheet; Exhibit III Affidavit of Proof of Service; Exhibit IV Affidavit of Publication; Exhibit V Lease between N.J. Dept. of Defense and PTAT System, Inc. Mr. Carton introduced Mr. Alan Hila, Engineer for Birdsall to testify; Mr. Frank Salley, Engineering Consultant for Lightwave Spectrum who are handling the development for PTAT Systems; Mr. Ed Herdst, Architect. Mr. Pandolfe introduced into evidence Exhibit VI, Manasquan Boro Engineer William Farrel's letter dated Jan. 5, 1988; Exhibit VII, Manasquan Fire Inspector Kenneth Miller's letter January 5, 1988. Mr. Carton entered into evidence Exhibit VIII Interior Design Planning originally dated 12/7/87, revised 12/14/87; Exhibit IX Architect's rendering; Exhibit V Rendering of site layout. Mr. Pandolfe called Paul Szymanski, Boro Planner to testify and entered into evidence Exhibit XI Mr. Szymanski's memorandum dated January 5, 1988.

Board entered into Executive Session at 9:10 PM to discuss PTAT Site Plan application. After review of all exhibits and evidence, Mr. Ianelli made motion to have attorney prepare Resolution approving site Plan. Motion seconded by Mr. Donovan and passed.

Continuation of Draft of Minutes of Planning Board Meeting January 5, 1988

At this point Mayor Donovan advised the applicant and members of the Board that he had received a letter from Judy Allen, Chairman of Brean Paris Council, Somerset, England (the town in which a Cable Building will be erected). Ms. Allen advised that Brean is a resort town, population 500, rising to 30,000 in the summer and enclosed pictures. Ms. Allen advised that ground has already been broken and extended best wishes for Christmas and the New Year to their new American associates. Mayor Winterstella advised he will respond on behalf of the Planning Board and the Borough of Manasquan.

Under old business, Mr. Szymanski reminded the Board that the Borough had to update their Master Plan by August 1988 and is presently preparing material for the Board review which he will have available for the February meeting.

Secretary presented applications she had received so the Board could set hearing dates.

No other business, meeting adjourned at 9:45 PM.

Sue Frauenheim, Secretary
Manasquan Planning Board

Next Meeting Wednesday Feb. 3, 1988
Worksession 7:30 PM

Dear Members:

Attached please find draft of minutes of the Manasquan Planning Board Meeting held December 1st 1987.

Agenda for the January 5, 1988 Meeting:

1. Minutes of the December 1, 1987 Meeting.
2. Reorganization
3. Reading of Resolution 27-87 Use Permit for Mal, Inc.
4. Reading of Resolution 28-87 Minor Subdivision approval
Holy Trinity Luthern Church Lot 5A Block 34
5. Site Plan Application of PTAT System, Inc. Lot 2 Block 54
Proposed Cable Building.
6. New Business
7. Old Business

Sue Frauenheim, Sec.
Manasquan Planning Board

Worksess at 7:00 PM

Draft of Minutes of the Manasquan Planning Board Meeting held for Mayor John Winterstella. All members were present except for Secretary and Board attorney were also present.

Minutes of the January 5, 1988 meeting were accepted.

Resolution 8-88. Board approved site plan application PTAT Systems, Inc. to erect a one story cable building to house equipment to be used in a trans-atlantic communication system. Block 54, Lot 2.

Minor Subdivision application of Mr. & Mrs. Wright, Spring Lake for Block 10, Lots 8B, 9, 10, 11 and 12 Lakewood Road into two lots. Attorney was directed to prepare Resolution 9-88 granting approval

Minor Subdivision application Tomasso, et al, Hillside, N.J. Block 176, Lot 1, Third Ave. & Brielle Road to create two lots was presented by applicant's attorney, Thomas O'Brien, lot 1 is 25.05 x 100' and contains a one-story framed dwelling facing Brielle Road and a 2-story frame dwelling facing Brielle Road.

Mr. Pandolfe questioned Mr. O'Brien as to variances that would be required since lot and buildings do not conform to the Borough Zoning Code. Mr. O'Brien advised the homes were built prior to any Borough building or zoning code and the variances existed. No new variances would be created and, therefore, no notices were sent to surrounding property owners. Mr. Pandolfe questioned the plat plans as not being complete since all house in the area were not shown. Mr. O'Brien introduced Mr. Raymond Tomasso Jr. of Elizabeth who advised he purchased the property in 1987 and rents the house out. Asked about parking problems, Mr. Tomasso said his tenants never complained about parking. Mr. William Burkhardt, Tax Assessor for the Borough of Manasquan who advised the Board that there are approximately 171 lots in the Borough that have more than one house on them, some as many as four. Mr. Burkhardt advised Board members he did not count the houses on the property on the beach owned by American Timber). Hearing to continue March 1, 1988.

Meeting Adjourned at 10:00 PM.

Sue Fraunheim, Sec.
Manasquan Planning Board

Next Meeting Tuesday 3/1/88
Work Session 7:30 PM

Dear Member:

Enclosed please find Draft of Minutes of the Planning Board Meeting held Tuesday January 5, 1988.

Agenda for the February 3, 1988 (Wednesday) Meeting is:

1. Minutes of the January 5, 1988 Meeting
2. Reading of Resolution 8-88 granting Site Plan Approval to PLAT Systems, Inc.
3. Minor Subdivision Application Mr. & Mrs. Wright, Spring Lake, Lots 8B, 9, 10, 11, 12 Block 10 to create two lots; -Lakewood Road Lot 1, Block 176 3rd/Brielle Road to create two lots
3. Minor Subdivision with Variances Tomasso, et al, Hillside, N.J.
4. Minor Subdivision with Variances Mr. & Mrs. Urban for property they own on N. Jackson Lot 10 Block 108 to create two lots.
5. New Business
6. Old Business - Master Plan Review - Paul Szymanski
Other
Budget for 1988
7. Review applications received and set agenda.

Sue Fraunheim, Sec.
Manasquan Planning Board

Next Meeting Wednesday Feb. 3, 1988
Worksession 7:30 PM

draft of minutes of the February 23, 1988 Planning Board Meeting held in Borough Hall. Members present were Vice-Chairman Donovan, Mayor Winterstella, J. Iannelli, Thomas Diamond, Mrs. Danish and E. Stanley. Board attorney John Pandolfe, Board Consultant Paul Szymanski and Board Secretary Sue Frauenheim also present. Absent members were Margaret Ronan, William Ruf and Chairman R. Newman.

Work Session at 7:30 PM. Board attorney reviewed proceeding for the meeting's agenda and advised Board members that Superior Court ordered rehearings of the Gem Associates Site Plan, denial of which is under appeal.

Vice-Chairman W. Donovan called meeting to order at 8:00 PM and advised the audience that the only business on the agenda is the Gem Associates Site Plan application which was ordered reheard by Superior Court Judge Milberg.

Anthony Vignuolo, attorney for Gem Associates, advised the Board his client would not be presenting a new application or plans and would like to reenter into evidence, exhibits as presented in the 1987 hearings.

Exhibits were marked by Court Reporter as follows:

- A-1 - Application
- A-2 - 3 Page Plat plans originally dated 1/19/87, Revised 3/13/87
- A-3 - 3 Page Plat plans revised 6/2/87
- A-4 - Paul Szymanski's Report dated 5/5/87
- A-5 - Copy of deed and easement
- A-6 - Wm. Farrell, Jr's. letter 5/5/87
- A-7 - Robert Meyers letter dated 6/2/87 in answer to Farrell & Szymanski reports
- A-8 - Robert Meyers Parking & Traffic Impact Statement dated 6/2/87
- A-9 - Letter dated 6/2/87 Richard McGuire, Esq. re parking problems
- A-10 - Letter dated 6/2/87 Richard McGuire, Esq. re Chadwick easement
- A-11 - Letter from G. Gussiss to Chadwick re easment dated 5/27/87
- A-12 - Report from Manasquan Fire Official/Inspector Kenneth Miller
- A-13 - Profession. history - Vincent Cassera, Traffic Expert
- A-14 - Portion of Site plan dated 6/2/88 prepared by Meyer for alternate parking plan for Squan Plaza

Mr. Vignuolo called as first witness, Robert Meyer, 83 Paterson St., Rumson who was accepted as an expert. Mr. Meyers advised that applicant proposed to construct two building on the site; one being 60'x185'1, 3 stories; the other 15x16, 3 stories. The larger building would face Main street, the smaller building facing Squan Plaza total sq. footage 43,000; land 38,000 sq. feet. Buildings would contain retail shops on first floor, offices on second floor, retail/office on third floor. Plan calls for sixteen on-site parking spaces. Mr. Meyer advised he had prepared a report on parking and traffic impact, See Exhibit A-8 and there would be additional parking spaces available on Squan Plaza. Mr. Pandolfe questioned if Mr. Meyer's was a traffic expert. and was advised the report were only his opinions. Mr. Pandolfe withdrew question. Mr. Pandolfe cross-examined Mr. Meyer as to his familiarity with present shops/offices in the Boro and their square footage. Mr. Meyer was not familiar.

At 8:45 PM a patrolman from the Manasquan Police Department advised Board Secretary that Jersey central Power and Light were having a problem with a transformer and would have to cut off electricity in the Borough Meeting Room. Recess taken until 9:00 PM. At 9:00 PM Chairman advised audience of the power problem. Applicant elected to have hearings postponed until March 8th. Motion made and carried to close meeting at 9:10 PM.

Sue Frauenheim, Sec.
Manasquan Planning Board

Next Meeting Tuesday 3/1/88
7:30 PM work session.
Next hearing for Gem Tuesday March 8, 1988 8:00 PM

Draft of minutes of the Mansquan Planning Board Meeting held Tuesday March 1, 1988 in Borough Hall. Members present were Vice-Chairman W. Donovan, E. Stanley, R. Danish, W. Ruf, Thomas F. Diamond, Mayor John Winterstella. Absent were Margaret Rowan, J. Iannelli and Chairman R. Newman. Board attorney and secretary were present.

Resolution 9-88 - Minor Sub-Division Approval Mr. & Mrs. Wright, Spring Lake, Block 10, Lots 8B, 9, 10, 11, 12 Lakewood Road. Motion made, seconded and passed.

Minor Subdivision Application, Tomasso, et al Hillside, N.J. Lot 1, Block 176 known as 554 Brielle Road and 237 Third Ave. Lot size 25.05' x 100'. Presently existing on property one-story frame dwelling on Brielle Road and 2-story two-family dwelling on Third Ave. Applicant's attorney, Thomas O'Brien presented into evidence, Exhibit XIII, Monmouth County's Planning Board approval of said subdivision. Mr. Pandolfe presented into evidence, Exhibit XIV letter from Mr. O'Brien to Mr. Pandolfe, confirming Mr. Pandolfe's request to postpone the originally scheduled hearing from January 6, 1988 to Wednesday February 3, 1988.

Vice-Chairman, Williman Donovan advised the audience and members that he had a signed affidavit from Mayor John Winterstella that he heard the tapes from the February 3, 1988 meetings which he did not attend. Mayor Winterstella asked if Mr. Raymond Tomasso could be recalled as he had a few questions for him. Mr. O'Brien had no objections and recalled Mr. Tomasso who had been sworn in on February 3, 1988. Mayor Winterstella asked Mr. Tomasso if at the time of his purchase of this property in 1987 did he know if the building on Third Ave was indeed a two-family dwelling and had he received two separate water bills (one for each floor) or had he received one water bill for both apartments. Mr. Tomasso advised the realtor advised him of the two-family dwelling and that as of this date he had not received any water bills. However, Mr. Tomasso did receive certificates of occupancy for both dwellings, three in all. Mayor Winterstella was trying to determine if the 2-family existed prior to 1947 or after and he would ascertain this information from the Tax Department. Mr. O'Brien wanted it to be put on judicial notice that the applicant has three COs and they were issued to Mr. Tomasso when he purchased the property in 1987. Mr. O'Brien advised the board that the issue is that we have two non-conforming buildings on one lot and it has been proven they existed prior to the Boro's first zoning ordinance in 1947.

Mr. O'Brien introduced his next witness, Mr. Fred Heyer, 123 Columbia Turnpike, Florham Park, N.J., a licensed professional planner who gave his professional statistics. He was accepted as an expert witness. Mr. Heyer advised the Board he was familiar with the Beers & MacLean cases and that the applicant's minor sub-division did not require any variances as no new non-conformities were present. Mr. Heyer presented an aerial view of the area in question and it was marked as Exhibit XV. The photo was taken in April 1986, #29-1021. It was accepted into evidence. Mr. Pandolfe and board members asked Mr. Heyer various questions concerning the non-conforming property, etc. and his experience with similar subdivision. Mr. Heyer advised that in most instances the subdivisions were granted based on the Beers/MacLean decisions.

Mr. Pandolfe called upon Mr. Kenneth Miller, Fire Official/Inspector for the Borough of Manasquan. Mr. Miller advised that he is very concerned about the closeness of the homes in the beach area and the hazard they pose to firefighters, especially those instances where fences or other dividers are erected between buildings. Mr. Pandolfe entered into evidence, Exhibit XVII - five photos taken at various angles of the property in question and Mr. Miller advised he was familiar with the area. Mr. Miller was cross-examined by Mr. O'Brien.

Continuation of draft of minutes of the March 1, 1988 Planning Board Meeting.

Mr. Pandolfe called the Board's consultant, Paul Szymanski as a witness. Mr. Szymanski advised Board that it was his opinion that the Beers case in Wayne was different than the applicant's in that at the time there was a housing shortage in Wayne and the 85 odd subdivided lots were all in the same area. The 171 odd lots in Manasquan with multiple dwellings are not all in the same area and a great many have only the one dwelling on a street and the others in the rear. Mr. O'Brien stated his client's buildings each face a street- Third and Brielle and subdividing will not make it any more non-conforming. Mr. Pandolfe said that it is a non-conforming lot right now, but by subdividing you are making two non-conforming lots.

Due to the lateness of the hour, 10:00PM, Vice-Chairman Donovan advised Mr. Kevin Thomas the Board would be unable to hear the minor subdivision application of his clients, Ronald & Linda Urban, Lot 10, Block 108 -51-55 North Jackson Avenue. M. Thomas was advised the Board would hear the application at their March 22nd and April 5th meetings and the Board Secretary was directed to put the Urban Subdivision on the agenda for those two meetings.

Mr. Szymanski continued with his testimony and was cross examined by Mr. Pandolfe, Mr. O'Brien and Board Members. Continuation hearing scheduled for Special Meeting 3/8/88 6:00 PM.

It should be noted that the audience was given opportunity to question all witnesses.

It should also be noted that at the beginning of the meeting Mr. Pandolfe questioned the correctness of the minutes from the February 23rd meeting in which the secretary erroneously stated the square footage of the buildings that Gem Associates' site plan called for. Correct footage is 43,000 for the buildings and 38,000 for the land. Secretary to correct. Minutes were then approved.

The Board approved the minutes of the February 3, 1988 meeting.

Meeting adjourned at 11:00 PM.

Sue Frauenheim, Sec.
Manasquan Planning Board

Special Meeting 6:00 PM-8:00 PM 3/8/88-Tomasso, et al
Special Meeting 8:00PM-10:00 PM- Gem Associates

Draft of minutes of the Regularly Scheduled Meeting 3/8/88 of the Manasquan Planning Board. Members present were Vice-Chairman W. Donovan, Messrs. E. Stanley, W. Ruf and T. Diamond and Mrs. R. Danish. Absent were Mayor Winterstella, Chairman R. Newman, Mr. J. Iannelli and Mrs. M. Ronan.

Worksession meeting held 7:30 to review the agenda.

Meeting called to order at 8:00 PM by Vice-Chairman W. Donovan who advised the only item on the agenda was the continuation hearing of Gem Associates.

Minutes of the March 1, 1988 meeting were accepted.

Mr. Pandolfe advised that Judge Milberg had recommended the hearings be heard from beginning to end and any new testimony can be heard. Mr. Dominic April, attorney for GBM owners of Maria's Restaurant and objections to the site plan, advised he had correspondence with Judge Milberg regarding witnesses he will be calling. Mr. Vignuolo, attorney for Gem Associates wanted it on record he objected to any new witnesses.

Mr. Vignuolo recalled Mr. Robert Meyer, applicant's Architect and Planner. Mr. Pandolfe asked Mr. Meyer if he knew how many businesses there were in Manasquan. He did not. Q. Do you know how many retail shops? A. No. Q. Do you know how many businesses on Main St? A. No. Asked how many units in the big building, Mr. Meyer replied nine, but possibly less on the first floor, depending who tenant was. Same would be true of second and third floors. Questioned about the units in the small building, Mr. Meyer replied there could be three on each floor. Mr. Pandolfe asked if there was any criteria in determining the feasibility of site in a municipality. Mr. Meyer said no. His client came to him with criteria and he designed the site, making sure their building would not be larger than those in the area on the street. Asked what impact or affect the buildings as designed would have on the other businesses in Manasquan, Mr. Meyer replied my client came to me with criteria. I am an architect and planner. Mr. Pandolfe asked Mr. Meyer if he advised him that between Union Avenue and South Main there presently sixty-one retail spaces, and your proposed building could contain approximately thirty-three spaces, would you say that would have any affect on the way you would plan the buildings? Mr. Meyer replied it would have an affect on the way he would market the buildings. Questioned on the alternate parking plan he prepared for the Boro of Manasquan in Squan Plaza, Mr. Meyer advised it was done as a civic endeavor. He wanted to show inefficiency of the parking as it exists. Mr. Meyer was cross-examined by Mr. Diamond on the parking that would be generated by his project and Mr. Meyer replied he could not say until tenants are in. Mr. Meyer was also questioned on the parking impact by Mr. Donovan, Board attorney and Mr. Pandolfe had no further questions and the audience was asked to ask Mr. Meyer questions only.

Mr. Kevin Thomas, an objector to the site plan asked Mr. Meyer if his fee was contingent on the success of the applicant and Mr. Meyer replied he was paid hourly. Mr. Thomas questioned Mr. Meyer on the Parking and Traffic Impact study the applicant presented into evidence and Mr. Meyer replied that Mr. Cassera who is under his supervision, prepared the report. Mr. Thomas asked Mr. Meyer several more questions on the additional parking that would be generated and couldn't his client reduce the size of the buildings. Mr. Meyer advised the only feasible way to develop this site was as he presented it. Mr. Thomas asked how it would not be feasible. Mr. Meyer replied commercially not feasible.

Continuation of draft of minutes of the Manasquan Planning Board 3//8/88 Hearing.

Mr. April, attorney for GBM had some questions for Mr. Meyer. Mr. Vignuolo wanted it on record that he objected to introduction of new witnesses. Mr. April asked Mr. Meyer what he took into consideration when he developed the plan. Mr. Meyer advised he took into consideration the architecture of surrounding buildings, Boro ordinances on zoning and Bocca codes. Asked if they had considered parking under the building, Mr. Meyer advised that his client wanted shops on first floor; parking would preclude this and their purpose was to make the building more attractive and convenient for shoppers. Asked if he had read Fire Inspector Ken Miller's recommendations, Mr. Meyer said he did not have an opportunity since the recommendations were submitted July 2nd, 1987 after the hearing were already in progress. Mr. April questioned Mr. Meyer on Mr. Cassera's Traffic and Parking Impact Study. Mr. Thomas asked Mr. Meyer questions regarding GBM, known as Maria's and Mr. Meyer replied yes and they were infringing on his client's property and on the easterly side of the building encroach on his client's property. Asked if his client has made and access on his plan to Lot 18, Mr. Meyer replied no.

Due to the lateness of the hour, 10:10 PM, Vice-Chairman Mr. Donovan advised the hearing would have to continue at the next scheduled meeting Tuesday March 15, 1988 at 8:00 PM

Motion made, seconded and passed to adjourn.

Dear Member:

Enclosed please find draft of minutes from the March 8, 1988 Special Hearing on Tomasso Minor Subdivision and minutes of the 8:00 PM Hearing on Gem Associates.

Special Hearing 3/15/88 6:30 PM Tomasso Minor Subdivision

Regular Hearing 3/15/88 8:00 PM - Continuation Hearing Gem Associates Site Plan.

Sue Frauenheim, Sec.
Manasquan Planning Board

6:30 PM 3/15/88 - Tomasso
7:30 PM 3/15/88 - Worksession

Draft of Minutes from the 3/8/88 Special Hearing of the Manasquan Planning Board held at 6:00 PM in Boro Hall to continue proceedings on the Minor Subdivision application of Tommaso, et al Block 176, Lot 1, 3rd Ave. & Brielle Road. Members present were Vice-Chairman W. Donovan, Messrs. E. Stanley, W. Ruf and T. Diamond and Mrs. R. Danish. Absent were Mayor Winterstella, Chairman R. Newman, Mr. Iannelli and Mrs. Margaret Ronan.

Meeting called to order at 6:PM by Vice-Chairman W. Donovan and roll call taken. Applicant Raymond Tommaso was present but his attorney, Thomas O'Brien was not present and at 6:30 PM Mr. Donovan took a poll of the members who agreed to wait until 7:00 PM for Mr. O'Brien. Mr. Pandolfe advised Board Members that the minor subdivision had to be acted within 45 days, and as of this date March 8, 1988 34 days have passed. If Mr. O'Brien does not appear, we will have to hold another Special Hearing for March 17th, 1988. Since Mr. O'Brien did not appear as of 7:00 PM Mr. Donovan formally announced the hearing closed and set a Special Hearing date 3/15/88. Mr. O'Brien did appear at 7:20 PM and apologized to the Board - he had his dates and time confused and thought the hearing was for 7:30 PM. Mr. Pandolfe advised Mr. O'Brien that the Board had a regularly scheduled meeting for 8:00 PM and a Worksession for 7:30 PM and would not have sufficient time to hear his closing statements, go into Executive Session and come to a decision.

Mr. Pandolfe advised Mr. O'Brien that a Special Hearing was set for 6:30 PM Tuesday March 15th in Boro Hall.

Meeting was adjourned at 7:25 PM.

Sue Frauenheim, Sec.
Planning Board
Boro of Manasquan

Special Hearing 6:30 PM 3/15/88.

Dear Member:

Attached please find draft of minutes of the Manasquan Special Planning Board Hearing held in Boro Hall 3/15/88 at 6:30 PM Tomasso, etal minor Subdivision.

Also enclosed minutes of regularly scheduled meeting held 8:00 PM In Boro Hall - Gem Associates.

Agenda for 3/22/88:

6:00 PM Special Hearing - Gem Associates

7:30 PM Worksession

8:00 PM Regular Meeting - Robert & Linda Urban, Minor
Subdivision Application Lot 10, Block 108
Jackson Ave.

Sue Frauenheim, Sec.
Manasquan Planning Board

Draft of Minutes of the Manasquan Planning Board Special Meeting held at 6:30 PM 3/15/88
in Borough Hall for a continuation hearing of Tomasso, et al Minor Subdivision
Application, Lot 1 Block 76 Third and Brielle Roads. Members present were Vice-
Chairman W. Donovan, Messrs. E. Stanley, W. Ruf, Mayor J. Winterstella and
Mr. R. Danish. Absent were Chairman R. Newman, Mr. Diamond, Mr. Iannelli and
Mrs. R. Danish. Board Attorney and Secretary were also present.

Vice-Chairman Donovan called meeting to order at 6:30 PM and advised that Mayor Winterstella
had heard the tapes from the Mar. 8th, 1988 Hearing and could vote. Minutes of Mar. 8, 1988 were approved.

Mr. T. O'Brien, attorney for the applicant had no further witnesses to call or
testimony, and he would present his summation. Mr. O'Brien apologized to the
Board for not appearing at 6:00 PM on March 8, 1988 for the Special Hearing.

Mr. Pandolfe asked Mr. O'Brien if he could present some exhibits before the
summation and Mr. O'Brien had no objections. Mr. Pandolfe presented into evidence
Exhibit XVII, Zoning Map of the Borough of Manasquan showing the site of the
proposed minor subdivision and also showing the sites of several major sub-divisions
and subsequent new homes in the same zoned area. Also presented as Exhibit XVIII
were eight photographs marked #3 through #7 showing the new homes constructed on
the major subdivided properties. Mr. Pandolfe advised Board the purpose of the photos
was to show the Borough is trying to build properties up to the zoning code.

In his summation, Mr. O'Brien advised the Board he can understand their concern
regarding the subdivision of non-conforming properties that contain two or more
dwelling. These were constructed prior to the Boro's First Zoning Code in 1947.
Mr. O'Brien stated the subdivision would create no additional fire hazards or
parking and traffic problems. Having one owner or two owners would not change
anything. Mr. O'Brien continued his summations and when concluded the Board voted to
go into Executive Session.

Board Attorney John Pandolfe advised members that they must come to a decision and
direct him to prepare a Resolution either denying or approving the subdivision.
With reference to the Beers/McLean decisions, the Board would have to find dis-
tinguishing factors between the Tomasso Subdivision and the Beers/McLean subdivisions.
In 1962 Beers subdivided and contracted to sell the properties to year round tenants
and the population today in Wayne was 49,000. Mr. Pandolfe reminded the Board that
"economical" reasons are not considered a factor. Board reviewed the evidence
presented by both the applicant and the Board's witnesses. Motion made, seconded,
and passed to move out of Executive Session.

Motion made, seconded and passed to deny subdivision and Resolution prepared
for memorialization.

Meeting adjourned at 7:40 PM.

Sue Frauenheim, Sec.
Manasquan Planning Board

Draft of Minutes of the Regularly Scheduled Meeting of the Manasquan 3/15/88
Planning Board held at 8:00 PM in Borough Hall. Members present were
Vice-Chairman W. Donovan, Mayor Winterstella, Mrs. Danish and Ronan, and
Messrs. Stanley, Ruf and Iannelli. Absent were Mr. Diamond and Mr. Newman.

Vice-Chairman W. Donovan called the meeting to order at 8:00 PM and advised the
audience the only item on the agenda was the continued hearing of Gem Associates'
Site Plan Lots 10/20 Block 65 Main Street.

Mr. R. Meyer, applicant's Planner and architect was recalled by Mr. Pandolfe and
objectors to the site plan were asked if they wanted to further cross-examine
Mr. Meyer. Object, Kevin Thomas had no further questions. It was noted that
Mr. April, attorney for objector GBM was not present.

Mr. A. Vignuolo, attorney for the applicant then asked Mr. Meyer if he had an
opportunity to review the regulations of the Dept. of Transportation as
referred to in applicant's Exhibit A-8 Parking and Traffic Survey. Mr. Meyer
replied he had. Mr. Meyer then explained, page by page, where the statistics
and data were obtained from. After Mr. Vignuolo concluded his questioning, the
audience was asked if anyone had questions for Mr. Meyer. Mr. Meyer was asked
several questions by Mr. Langella, Mr. Campbell and Mr. Bertucci regarding the
survey. Mr. Kevin Thomas, objector, asked Mr. Meyer several questions concerning
"Trip Generations which is a study of the flow of traffic during peak AM and PM
Hours. Mayor Winterstella asked Mr. Meyer if he could have copies of certain
data used from Bureau of Public Roads. Mr. Meyer had no additional copies, but
would have photostats made.

Mr. Thomas introduced a traffic expert witness, Mr. Jerry A. Canter, Licensed
Professional Engineer from the firm, Horner & Canter in Medford, N.J. who
presented his qualifications. Mr. Canter was accepted as a witness. Mr. Canter
advised the Board he had reviewed applicant's Exhibit A-8 Parking and Traffic
Survey, and felt the report was not prepared using accepted or meaningful traffic
impact study criteria or standards & is inaccurate, resulting in erroneous conclusions.
Mr. Canter said Mr. Cassera, who prepared Exhibit A-8, is not a licensed professional
engineer and not qualified to make such projections. Mr. Canter stated that Exhibit
A-8 was based on traffic conditions in 1985 and would not be realistic of today's
traffic. Mr. Canter felt that studies should have been at Squan Plaza, Abe Vorhee's
Drive, South street and Preston Way to determine the site's impact. Mr. Canter was
cross-examined by Mr. Vignuolo and asked if he had done any studies of his own.
Mr. Canter said he did not do an analysis of the site, and his criticisms were based
on what was contained in Exhibit A-8 and his 20 years' experience as a traffic
engineer. Mr. Canter was asked several questions by Board Members and the Board
attorney, pertaining to parking that would be generated by this development. Mr.
Canter felt the applicant underestimated parking demands.

Asked if anyone else would like to question Mr. Canter, objectors, audience or
board members had no further questions and witness was dismissed.

Mr. Pandolfe asked Mr. Vignuolo if he had any objections to continuing the hearing
at 6:00 PM March 22, 1988 instead of 8:00 PM. Mr. Vignuolo stated he would have
no objections, but would have to check his schedule and will advise Mr. Pandolfe
in the morning. Mr. Pandolfe then asked Mr. Kevin Thomas if his applicant, Ronald
and Linda Urban, could come in at 8:00 PM March 22, 1988. Mr. Thomas agreed.

Meeting Adjourned at 10:15 PM

March 22, 1988:
Special Hearing 6:00 PM - Gem Associates
Regular Meeting 8:00 PM
Work session 7:30 PM

Sue Frauenheim, Sec.
Manasquan Planning Board

Draft of minutes of the Manasquan Planning Board March 22, 1988 meeting held 8:00 PM in Borough Hall. Members present were Messrs. Donovan, Ruff, Stanley, Diamond, Iannelli, Mayor Winterstella and Mrs. Danish and Ronan. Chairman Richard Newman was absent. Board's attorney, planner and secretary were also present.

Vice-Chairman W. Donovan called the meeting to order at 8:00 PM and the minutes of the 8:00 PM meeting on March 22, 1988 were accepted.

Mr. Kevin Thomas, attorney, presented the minor subdivision application of Mr. & Mrs. Urban, 431 Cedar Dive W., Briarcliff Manor, New York for Lot 10, Block 108 51-55 N. Jackson Ave. The property contains two-family homes which were built before the Borough had a zoning ordinance and applicant is seeking a subdivision based on the Beers/McLean decisions.

Mr. Thomas presented into evidence the following:

- Exhibit A-1 - Application
- A-2 - Plat dated 6/15/87 prepared by Walter Partington
- A-3 - Affidavit of Proof of Mailing
- A-4 - Notice of Publication
- A-5 - Letter dated 1/4/88 from Wm. Farrell, Boro Engineer
- A-6 - Letter dated 3/22/88 from Manasquan Tax Dept. reference dates buildings were constructed.

Mr. Pandolfe accepted into evidence Exhibits A-1 through A-5, but will investigate tax records further to determine if further proofs are needed.

Mr. Thomas called applicant, Ronald Urban as first witness. Mr. Urban advised Board he purchased property about one and one-half years ago as an investment and rents out four apartments. Mr. Pandolfe questioned Mr. Urban if he knew at the time of purchase that the lot was non-conforming and he replied he did. Asked if he knew what zone the property is in he replied he did not. (The property is in an R-1 zone which requires 7,000 sq. feet.) Asked who takes care of rentals he advised Ward Wight Agency and sometimes apartments are rented to summer renters and to winter renters. Asked if he were aware of how many occupants in each apartment he believed two to each. Asked if there was any on site parking, he replied no, most homes in the area have no driveways and park on the street.

Mr. Rogers, Lake Ave. whose property borders that of the applicant asked applicant few questions and then was called by Mr. Pandolfe. Mr. Pandolfe asked Mr. Rogers if he was familiar with the property and how many people occupied same. He replied most of the time 6-8-10 and he has called police because of noise. Asked about parking problems, he advised the occupants park on Jackson, Lake and McClean and there are sometimes as many as eight-ten cars on a weekend.

Asked if there are any other summer rentals or properties similar to Lot 10 with the two homes on it he replied they are the only one with 2-family houses. All of the homes are single occupied all year round. Asked if he felt this subdivision would have any effect on the value of his property, he replied he felt it would.

Mr. Pandolfe entered into evidence, Exhibit A-7, photos marked A-7a through A-7e and asked Mr. Rogers if they were the residences in question as they look today. He replied yes. Several other neighbors were called as witnesses and Mr. Pandolfe asked them questions concerning noise, parking, etc. Mr. Whitey Conrad presented into evidence photos taken of the property several weeks ago showing debris, mattresses, furniture on the lawn and in between the buildings. This was marked as Exhibit A-8.

Mr. Conrad advised he owned and occupied his home for forty-seven years and that granting this subdivision would decrease the value of his property.

Mr. Pandolfe called Paul Szymanski, Boro Consultant who had made a survey of the surrounding area and found there are no other properties the size that the subdivision is asking for. Mr. Szymanski advised that the Beers Case criteria presents problems to municipalities such as Manasquan. They minimize the ability of the municipality to establish conforming lots. Future owners of small parcels of land could apply to the Board of Adjustment for variances and the Board would be hard put to deny them. When Beers type subdivision are granted, the properties involved would unlikely ever conform. In the past years, I have seen gradual changes in non-conforming properties that were developed into conforming properties and increased the character and value of the zoning code.

At 10:00 PM the attorney advised the Chairman he would suggest they continue the hearing at 8:00 PM March 29th, 1988. The Board voted to adjourn at 10:05 PM.

Sue Frauenheim, Sec.
Manasquan Planning Board

Next Reg. Meeting 8:00 PM 3/29/88
Worksession 7:30 PM

Draft of Minutes of the Manasquan Planning Board Special Hearing held Mar.22,1988 at 6:00 PM in Borough Hall to continue the Site Plan Hearing of Gem Associates Block 65, Lots 10 and 20. Members present were Vice Chairman W.Donovan, Messrs. Ruf, Iannelli, Stanley, Diamond and Mrs. Danish and Mrs. Ronan, Boro Attorney, John Pandolfe, Jr., Boro Secretary Sue Frauenheim. Absent were Mayor Winterstella, and Chairman R.Newman .

Meeting called to order at 6:00 PM by Mr.Donovan and minutes from the March ¹⁶22nd,1988 Gem Hearing were approved.

Mr.Donovan advised audience this was a Special Hearing to continue the site plan application of Gem Associates,

Mr. Kevin Thomas, Objector presented as his witness Mr. Fred Heyer, Professional Planner with the firm RVS Moskowitz, Suite 2040, Columbia Turnpike, Florham Park, N.J. Mr. Heyer was accepted as an expert. Mr. Heyer had reviewed the proposed development of the property, and had an opportunity to review the Traffic & Parking Survey as prepared by the applicant and also the report prepared by Traffic Engineer Mr. Canter, witness for the objector. In Mr. Heyer's opinion, the proposed development would serve to impair the zoning ordinance and Master Plan of the Borough of Manasquan, and would have an adverse effect on the business district. Mr. Heyer submitted into evidence Exhibit 16-02, an aerial photograph of the site. Mr. Heyer felt a project of this magnitude would have an impact on the parking in the Borough. Mr. Heyer was cross-examined by the applicant's attorney, Anthony Vignuolo. Asked if he prepared any written reports, Mr. Heyer answered no. Asked if he had reviewed the alternate parking plan for Squan Plaza, Mr. Heyer replied that he had but that in his opinion rather than redesigning a portion of Old Squan Plaza to create more parking spaces, other alternatives should be considered. Mr. Heyer was cross-examined by the Board's attorney, and board members. When asked how many parking spaces he felt were needed, Mr. Heyer said it would depend on the use involved. Certain uses would require more parking than other, i.e. medical profession, etc. Mr. Vignuolo asked Mr. Heyer if he had ever testified on this application, Mr. Heyer replied he had not. No further questions from applicant, board members, the audience was advised they could ask Mr. Heyer questions.

Mr. Bertucci, one of the owners of GBM Corporation, trading as Maria's restaurant, wanted to present into evidence, copies of the civil suit he has against Gem Associates and was advised he could not do this at this time, but could present it later in the hearings. He could only ask questions. There being no further questions, Mr. Heyer was dismissed.

At this time the Mr. Donovan advised if anyone in the audience had any further questions. Mr. Bertucci approached the Board and advised he would like to present into evidence a copy of the civil suit GBM (Maria's Restaurant) had against the applicant. Mr. Pandolfe advised the Board that GBM had instigated suit against GEM Associates and since the suit is pending court action, the Board could not consider it in this hearing. The copy, however, was marked Exhibit 17-03.

Mrs. Jean Lee, Secretary of the Manasquan Chamber of Commerce approached the Board and presented copies of the minutes of several meetings the Chamber had in which they discussed the parking problem in the business district. Also presented were letters the Chamber had written to Mayor & Council recommending a parking study. The Board attorney advised members the findings in these reports are not facts and the board is not bound by the and can not take them into consideration. The reports were, however, marked Exhibit 18-03

Mr. Langella, from the audience, made a statement that the Board should consider the upgrading of the business center in the past and if the applicant were to upgrade their buildings and property there would be adequate parking.

Continuation of Draft of Minutes of the March 22, 1988 Manasquan Planning Board
Special Hearing on Gem Associates:

At this time Mr. Donovan advised the audience he had received a signed affidavit from Mr. Diamond that he had heard the tapes of the March 15, 1988 meeting at which he was absent. Mr. Donovan also presented signed affidavits from Mrs. Ianello and Mrs. Ronan that they heard the tapes from the March 8, 1988 meeting at which time they were absent.

At 7:40 PM the Board Attorney advised that he had two witnesses to call, Fire Inspector Ken Miller and the Board Planner/Consultant, Paul Szymanski and there would not be sufficient time to hear their testimonies and cross-examination before the Board's regularly scheduled meeting at 8:00 PM. He suggested a Special Meeting be held at 6:00 PM March 29, 1988 and asked Mr. Vignuolo if this time and date met with his approval. Mr. Vignuolo had no objections and the Board voted to hold a Special Meeting.

Meeting was adjourned at 7:45 PM.

Sue Frauenheim, Sec.
Manasquan Planning Board

Special Meeting 6:00 PM 3/29/88

Draft of minutes of the Manasquan Planning Board Special Meeting held at 6:00 PM 3/29/88 to continue hearing Gem Associates Site Plan Application. Meeting held in Borough Hall and members present were: Messrs. Donovan, Winterstella, Stanley, Iannelli and Diamond and Mrs. Ronan and Danish. Board attorney, Board secretary and Board planner also present. Absent were Chairman R. Newman and Mr. W. Ruf.

Applicants were not present at 6:00 PM so meeting adjourned until their arrival. Attorney reviewed agenda for the evening advising he would be calling Mr. Ken Miller, Fire Inspector for the Borough and Mr. Paul Szymanski, Board Planner. Mr. Pandolfe advised Board he would not be present at the April 5th meeting and asked if they would postpone the regularly scheduled meeting until April 12th.

Applicant arrived and meeting called to order by Vice-Chairman W. Donovan. Minutes of the March 22, 1988 Special Hearing held at 6:00 PM were approved. Mr. Donovan advised he had signed affidavits from Mayor Winterstella that he had listened to the March 8, 1988 and March 22, 1988 tapes and a signed affidavit from Mrs. Ronan that she had listened to the tapes of the March 8, 1988 hearing.

Mr. Pandolfe called Mr. Ken Miller, Fire Inspector of the Boro of Manasquan as his first witness. Mr. Miller advised that the applicants plans as submitted did not show any Fire Lanes and he had recommended they adhere to the fire lane that existed, a 18' lane from Main Street to Old Squan Plaza on the West side of the building; on the Easterly side a fire zone 8' wide from Main Street to Old Squan Plaza through the right of way should be established and at the rear of the site a zone 30' long, 20' wide. He also recommended the dumpster as shown on the applicants plan located on the west side of the building in the area marked "unloading area" should be relocated and he would recommend an additional fire hydrant be placed on the southwest corner of the rear entrance between the curb and sidewalk.

Mr. Pandolfe asked Mr. Miller if he had taken a survey of the buildings in the business section of Manasquan. Mr. Miller advised he did a survey of the businesses on Main St. located 100' west of South Street and 200' east of Rt. 71. He measured the first floor square footage of each building and came up with 59,500 square feet total, with the exception of the old Alconquin theater.

Mr. Vignuolo, attorney for the applicants, cross-examined Mr. Miller and asked if Mr. Miller had taken any second or third floor measurements and he replied no he had not and he did not believe there were any second or third story buildings with businesses being conducted. Questioned about the width of the fire zone on the westerly side, Mr. Miller advised the width is need for the aerial fire truck. Mr. Vignuolo asked if the property just north of their site could not be used for fire equipment since it is a parking lot. Mr. Miller advised there is a fence the length of the property and trucks could not get close enough to the rear of the buildings located on their site or to the rear of Maria's building. Board members asked Mr. Miller a few more questions concerning fire zones. Mr. Campbell, owner of property adjacent to the applicant's known as the Bath Shop and also the rear property to Squan Plaza advised these are two separate lots and he would not be in favor it zoned as fire zones.

Mr. Pandolfe called his witness, Mr. Paul Szymanski who reviewed the reports he had submitted when the applicant first came in with their Concept Plan as well as reports he had prepared on their first plan and revisions thereof. Mr. Szymanski advised that even though a site plan may conform to all zoning requirements, in his opinion, some aspects may render it an impairment to the zoning; i.e. inadequate parking for the size of the project, aesthetics of the building as compared to surrounding buildings, traffic impact. The size of the project, 43,000 sq. feet, would have a negative impact on the Master Plan of the Borough of Manasquan. Mr. Szymanski presented his Memorandum dated March 28, 1988 summarizing his findings, and marked as Exhibit A-19

Continuation of draft of minutes of the Manasquan Planning Board Special Meeting held at 6:00 PM 3/29/88 - Gem Associates Site Plan

Mr. Vignuolo cross examined Mr. Szymanski and asked if a study of the Squan Plaza parking area had ever been conducted. Mr. Szymanski said no, but even if the Boro re-designed the Plaza to obtain an additional sixty parking spaces, these additional parking spaces would not be just for use by the applicant. They would be used by all Boro residents and would still make the applicant's parking inadequate.

At 7:30 PM, the Board attorney recommended the Board continue the Gem hearing, even into the 8:00 PM regularly scheduled Meeting since there would just be the cross-examination of Mr. Szymanski and the applicant's summation. Board members were agreeable and Mr. Vignuolo also.

It was noted for the records that Mr. Gush presided over the 1987 hearings and Mr. Anthony Vignuolo is the applicant's new attorney. It was also noted that applicant objected to the passing of Ordinance 1419 (waiving the requirement that no on site parking is required within 300 feet of a public parking area or street) during the initial hearing and the applicant had requested a waiver from this ordinance and was denied by the Board.

Board members questioned Mr. Szymanski with regard to any deleterious effect the proposed development would have on the Boro of Manasquan and Mr. Szymanski advised that in his opinion, the proposal is much too large and would have an adverse effect.

No more testimony to hear, the audience, lawyers for the objectors, or the objectors were asked to make their statements. Several owners of businesses on Main Street viewed their disapproval of the proposal.

No further statements, Mr. Vignuolo presented his summation and asked Board to consider all factors; the Board's reception to their concept back in 1983, and to their plans presented in 1986. Changing the parking requirements of the site plan has placed a burden on the applicant.

Mr. Pandolfe advised Mr. Vignuolo that one of the board members, Mrs. Ronan had some dealings several years ago with one of the partners of Gem Associates; however she has no dealing now and did object to her voting. Mr. Vignuolo said no.

Mr. Pandolfe advised the Board they should go into Executive Session, review all testimony. At this time, 8:40 PM, Mayor Winterstella requested a ten minute recess. Motion made and carried.

Meeting resumed at 9:00 PM and Board went into Executive Session, reviewed all testimony and voted to deny the application. Board came out of Executive Session, motion made and carried to deny application and attorney directed to prepare Resolution.

Meeting adjourned at 9:15 PM

Sue Frauenheim, Sec.
Manasquan Planning Board

Draft of minutes of the Manasquan Planning Board Special Meeting held at 8:00 PM in Borough Hall on 3/29/88 to hear the minor Sub-Division application of Mr. & Mrs. R. Urban, Lot 10, Block 108 N. Jackson. Absent were Messrs. Newman and Ruf.

Meeting called to order at 9:15 PM and Minutes of the March 29, 1988 Regularly Scheduled meeting were approved.

Mr. Szymanski was called as a witness by Mr. Pandolfe and presented his views on the subdivision which presently is one lot containing two houses. Property is located in an R-1 zone and is the highest zone regulation in a residential area. By granting the subdivision, both lots would be non-conforming as the zone calls for 7,000 sq. foot lots. Mr. Szymanski said it is the intent of the Master Plan to bring zoning more to conformity, granting this subdivision would be making two non-conforming lots. Mr. Kevin Thomas, applicant attorney asked Mr. Szymanski if he were familiar with the Beers/McLean decisions wherein the law stated any buildings constructed prior to a municipality's zoning ordinance being in effect, could be granted subdivisions even though they are non-conforming presently. Mr. Szymanski said he was familiar with the cases and that the Beers case in Wayne was different than those in Manasquan. The subdivisions were granted because there was a housing shortage; the lots and houses were sold to the tenants and they were all in the same area. Mr. Szymanski said there are approximately 171 lots in Manasquan, throughout the town, not in one specific area, that contain two or more homes, and they were all non-conforming.

At 10:00 PM, the Board voted to continue until 10:30 PM.

Mr. Thomas, in his summation, advised his client was willing to have onsite parking provided and the Board should take into consideration these homes were built before the 1947 Zoning code went into effect.

Board went into Executive Session, reviewed all testimony and voted to deny the application. Board went out of Executive Session into regular meeting.

Before Board voted, Mr. Thomas presented into evidence, an affidavit from the Borough clerk that the first Manasquan Zoning Ordinance went into effect Dec. 2, 1947., marked as Exhibit 9.

Motion made and carried to deny subdivision and attorney directed to prepare Resolution.

Mr. Donovan advised audience that the regularly scheduled April 5th meeting of the Planning Board would be postponed until April 12th. Secretary to submit Public Notice to newspapers.

Mr. Pandolfe advised the Board that PTAT Systems, Resolution 8-88 granting Site Plan approval for construction of building on Lot 2, Block 54 to house equipment for operation of cross-atlantic cable communications, contained a condition that prohibited the applicant from getting a building permit. Condition 5 called for approval from the Borough of Sea Girt before commencing any work. Mr. Pandolfe advised this was erroneous as Sea Girt does not own any of the property involved. Motion made and carried to have attorney prepare Resolution amending this condition.

Dear Member:

Enclosed please find draft of minutes of the 4/12/88 Planning Board Meeting.

Agenda for May 3, 1988 Meeting:

1. Minutes of the 4/12/88 meeting
2. Informal Discussion John D. Wooley representing H.T. Hall reference a 125' addition to existing storage building on Lot 1A, Block 58, Parker Ave.
3. Minor Subdivision Schulman lot 16, Block 165 First Ave. Lot contains two houses
4. Robert Zanes, et al, minor subdivision Lot 11, Block 162 42-44 Ocean Ave. Lot contains two houses
5. Outstanding Bills
6. Agenda for June 7, 1988 Meeting
7. Any new/old business.

Sue Frauenheim, sec.
Manasquan Planning Board

Applications received:

McGovern, Lot 17-19 Bldg. 48 Broad st. Minor Subdivision, two houses, one lot

MaRAZITI _ Major Subdivision Lots 8--9-10 Block 169D Rodgers Ave at intersection Outlet Creek

Chet Morgan Minor Subdivision Lots 8B, 9, 10 Block 125 Virginia and So. McClellan, one house, one lot.

Draft of minutes of the Manasquan Planning Board Meeting held on Tuesday April 12, 1988 in Borough Hall. All members present and the Board Attorney John Pandolfe, Secretary Sue Frauenheim and Planner, Paul Szymanski.

7:30 PM Worksession to discuss evening's agenda. Since time allowed, the Board heard the Informal Discussion request of Mr. Howard Gammon, owner of Lots 14A, 14B Lot 51 Taylor Aven. Applicant wishes to construct a 2-story professional office building, approximately 4500 square feet, providing sufficient parking spaces, landscaping. Mr. Szymanski reviewed the plan and suggested parking spaces located in front, near Rt. 71 be eliminated and entranceway landscaped; plan should show parking lot of the building to the north of the site to see if there would be any interference with traffic flow & parking; provision should be made for a dumpster, if needed; sign should be shown on the plan, plantings and landscaping also should be shown. Since Mr. Gammon is the owner of the business known as Gammon Tech (property north of the site) Mr. Szymanski suggested applicant show reliable proof that the parking spaces on Gammon Tech could be utilized for this site, waiver might be obtained for a few of the parking spaces. Board members were in favor of concept and applicant advised to submit Site application.

Meeting called to order at 8:10 PM by Board Chairman Richard Newman and roll call taken. Minutes of the 3/29/88 6:00 PM Meeting for Gem Associates and the 3/29/88 Regular Meeting were accepted.

Mr. Pandolfe advised audience that the Informal Discussion on the agenda was held at 7:30 PM and records to show it was heard.

Minor Subdivision application of Mr. & Mrs. Shirley, Fisk Avenue, for Lot 6, Block 98 known as 84-84½ Wyckoff Ave. was presented by their attorney Kevin Thomas. Mr. Thomas called Mrs. Shirley as a witness to explain the application. Mr. Property presently contains two homes and would share a common drive. Mr. Thomas asked Mrs. Shirley if she would provide on site parking if subdivision were granted and she replied she would. Entered into evidence at this time were:

- Exhibit I - Application
- Exhibit II - Plat plan dated 10/19/87
- Exhibit III Letter dated 4/12/88 from Boro Engineer Wm. Farrell
- Exhibit IV Letter dated 3/29/88 from Boro Clerk Reference date of first Boro Zoning Ordinance - 12/2/47

At this point, Boro Attorney submitted into evidence:

- Exhibit V - Copy of Zoning Ordinance 12/2/47
- Exhibit VII Copy of Present Zoning Ordinance

Mr. Thomas then presented as Evidence VII letter dated 3/28/88 from Tax Assessor concerning dates buildings were constructed on the property.

Mr. Thomas advised Board Mrs. Shirley worked in a Real Estate Office, selling real estate. Mr. Pandolfe stated she could not be accepted as an expert since this was her subdivision application. She advised buildings were constructed in 1917 and 1927, prior to any Boro Ordinance. Mr. Pandolfe cross-examined witness who advised she purchased property in 1983 and front house is yearly rental. Rear house was seasonal but as of first of this year it is rented on yearly basis.

Mr. Pandolfe called Paul Szymanski as a witness and he was accepted by Mr. Thomas as an expert. Entered into evidence at this time were: Exhibit VIII Floor plan date 8/13/87 showing alterations done to 84½ Wyckoff; Exhibit VII, photographs taken by Mr. Szymanski of 84 and 84½ Wyckoff; Exhibit IX Map prepared by Mr. Szymanski dated showing lots throughout the Boro having two or more houses on them; Exhibit IX Pages 18-19 of Boro Tax Map showing lots 14A, 14B, Lot 51 and surrounding lots.

Continuation of Draft of Minutes of the Planning Board Meeting held Tuesday
April 12, 1988

Mr. Szymanski advised property located in R-2 zone which requires 5000 sq. feet. Property if subdivided would contain 4,000 sq. feet in rear, 3,750 sq. feet in front, only one fronting on street, rear lot would have non-conforming set-back and two non-forming lots would exist. Mr. Szymanski advised that in the Beers case there were five houses all facing a street, and court allowed owner to subdivide into five lots, all fronting on a street, and this subdivision differs from that. In the McLean case, there was a housing shortage in Wayne and court allowed owner to subdivide so renters could all purchase the homes and they were all in the same area. In Manasquan, lots with two homes on them are scattered throughout the Boro in all difference zones. Manasquan's zoning ordinance adopted in 1947 and updated in 1968 were adopted to prevent construction of two buildings on one lot and to make more conforming lots. Mr. Szymanski felt granting the subdivision would have an effect on the zoning plan. He cited the large amount of land owned by American Timber on the Beach front, and by granting this subdivision, American Timber could request subdivisions of their properties thereby creating more non-conforming lots. Mr. Thomas cross examined Mr. Szymanski and due to lateness of hour Board agreed to hear application until completed.

After asking Mr. Szymanski about Beers/McLean cases and the decision of the courts to grant the subdivisions, Mr. Thomas presented his summation.

The Board went into Executive Session at 10:30 PM to review all exhibits, etc. Board returned to regular meeting and motion made, seconded and carried to deny subdivision.

Secretary presented a letter received from Beachtree Associates requesting an extension of Resolution 19-87 Site Plan Application. Secretary advised to write to their attorney, Thomas O'Brien to submit application.

No other business, meeting adjourned at 10:40 PM.

Sue Frauenheim, Sec.
Manasquan Planning Board

Next Meeting May 4, 1988
7:30 PM Worksession

Draft of Minutes of the Manasquan Planning Board Meeting held on Tuesday May 3, 1988 at 8:00 PM in Borough Hall. All members present except Mr. Stanley who was on vacation and Mr. Diamond arrived at 9:00 PM

Worksession held at 7:30 PM to review evenings agenda. Mr. Pandolfe advised the Board to hold a Special Meeting on May 10, 1988 to complete the hearings on the agenda tonight, namely subdivision application of Schulman Lot 16, Block 165 First Avenue and Zane subdivision Lot 11, Block 162, 44-45 Ocean Avenue.

At the worksession, new owners of Glimmer Glass Estates, Brielle Road asked for an informal discussion. New owners are Messrs R. Leroy, G. Delay and Mr. Pahler who advised the Board they contracted for the property in 1987 and purchased in 1988 from Schride Associates. All new owners were familiar with the Resolutions covering the approval of the major subdivision and with all conditions contained therein. However, they had been in touch with CAFRA concerning the condition of no bulkheading and have had approximately six meetings with them. They asked the Board if they would consider revising the condition prohibiting bulkheading and allow them to construct a low 2' bulkhead which would help preserve the natural vegetation which keeps washing away. All members were in agreement to leave all conditions as they stand.

First item on the agenda was an Informal Discussion with Mr. Hall and his attorney Mr. John D. Wooley regarding H.T. Hall's constructing an addition to their existing storage building on Lot 1A, Block 58 Parker Avenue. Because the property in question is located in a residential zone, Mr. Wooley was advised to apply to the Board of Adjustment.

Minor Subdivision Application Mr. & Mrs. Schulman, 405 E. 79th St, Apt. 14B, New York City Lot 16, Block 165 46-47 First Ave. Applicant's attorney, Stephen Keane presented into evidence:

- Exhibit I - Application
- II - Plot plan dated 10/8/87 prepared by Partington
- III Proof of Mailings
- IV Affidavit of Publication

Property presently contains two structures, one family framed dwelling, garage apartment with 2-car garage at street level on First Ave. and a one story framed dwelling fronting the beach. Applicant was seeking approval of subdivision based on Beers/McLean court decisions that any property containing more than one structure that were erected before a municipality adopted a zoning code, is entitled to subdivide. At this point, the Board's attorney entered into evidence Exhibit VI - three photographs of the property taken from first Avenue; Exhibit VII, three photographs of the area between the dwellings. Photos were taken by Board Consultant, Paul Szymanski. Mr. Pandolfe also offered into evidence as Exhibit IX Manasquan's Official Map and Present Zoning Ordinance. Motion made to continue hearing at a Special Meeting to be held at 3:30 PM on Tuesday May 10, 1988. Motion carried.

Minor Subdivision Application - Robert Zanes, 104 Ocean Avenue for Lot 11, Block 162 known as 42-44 Ocean Avenue. Applicant's attorney, Mr. Maguire presented into evidence:

- Exhibit I - Application
- Exhibit II - Plot Plan dated 11/30/87 prepared by G. Edwards

Property presently contains two structures, one story framed dwelling on front portion and one story framed dwelling on rear portion. Applicant was seeking approval of subdivision based on the Beers/McLean court decisions that any property containing more than one structure that were erected before a municipality adopted a zoning code, is entitled to subdivide.

Continuation of draft of Minutes of Planning Board 5/3/88 Meeting:

Zanes Minor Subdivision Application

Mr. Pandolfe presented into evidence the following:

- Exhibit III - letter dated 4/12/88 from Boro Engineer, Wm. Farrell
- IV - Tax Records signed by Tax Assessor W. Burkhardt showing buildings erected in 1922 on Lot 11 Block 162
- V - Tax Records signed by Tax Assessor W. Burkhardt showing building erected in 1922 on Lot 11A, Block 162.
- VI - Copy of Borough Zoning Ordinance dated 12/47
- VII - Copy of Borough Present Zoning Ordinance
- VIII - Copy of Borough's Official zoning map

Mr. Maguire entered into evidence, Exhibit IX, a Revision dated 4/27/88 of the plat plan dated 11/30/87 showing parking spaces on the property.

Mr. Pandolfe, Board attorney presented into evidence:

- Exhibit XX Five photo of the property showing 15' easement
- XI Photos of 42/44 Ocean Ave.
- XII Photo showing southerly view of right of way
- XIII Photo of rear house #44
- XIV Photo showing patio area in rear of 42 and front of #44.

All photos were taken by Board Planner, Paul Szymanski. Motion made and carried to continue hearing at a Special Meeting at 3:30 PM Tuesday May 10th.

Mr. Pandolfe advised Board members of the status of the Gem litagations.

Meeting adjourned at 10:30 PM.

Sue Frauenheim, Sec.
Manasquan Planning Board

Next Meeting: Special Hearing 3:30 PM 5/10/88
Regular Scheduled Meeting 8:00 PM 6/7/88

Dear Member:

Enclosed please find minutes of the Manasquan Planning Board Meeting held on Tuesday May 3, 1988 and also copy of minutes of the Special Meeting held on Tuesday 3:30 PM May 10th, 1988 .

Agenda for the June 7, 1988 Meeting:

1. Minor Subdivision Application Estate of Mary McGovern, Lots 17-19, 216 Broad Street.
2. Minor Subdivision Application Chester Morgan Lots 8B, 9 and 10, Block 125, 61 So. McClellan Ave.
3. Informal Discussion Mr. Angerbach Lot 1C, 2, 3 Block 31 known as 25 N. Main St. reference a subdivision.
4. Old Business
5. New Business
6. Open Bills.

Sue Frauenheim, Sec.
Manasquan Planning Board

7:30 Worksession 6/7/88

Due to the fact that June 7, 1988 is Primary Voting Day, the meeting will be held upstairs in the Cour Room.

Draft of minutes of the Manasquan Planning Board Special Meeting held at 3:30 PM on Tuesday May 10th in Borough Hall. All members present except Mr. Stanley who was on vacation and Mr. Newman, Chairman who was absent.

Meeting called to order at 3:30 PM by Vice-Chairman W. Donovan.

Continuation of Minor Subdivision Dr. & Mrs. Schulman Lot 16, Block 165, First Ave.
Applicant having no further witnesses, Mr. Pandolfe called on Mr. William Burkhardt, Manasquan Tax Assessor, who presented official tax records on dates of construction and assessment of property and buildings Exhibit X, a list of lots containing more than two structures was entered into evidence as Exhibit XI. Mr. Burkhardt was questioned by Mr. Pandolfe and applicant's attorney Mr. Keane.

Mr. Pandolfe called as a witness, Ken Miller, Manasquan Fire Inspector who commented that it was very difficult to get fire fighting equipment on the property and only access was through a walkway.

Mr. Pandolfe called the Board Planner, Paul Szymanski as a witness. Mr. Szymanski presented into evidence Exhibit XIII a map he prepared of the Borough showing all lots with two or more structures. Lots were located throughout the borough and not in one specific area. Mr. Szymanski commented that he felt this subdivision was unlike the Beers subdivision in Wayne or the McLean subdivision in Brick and he did not feel the court decision applied in this application. Wayne's population is approximately 48,000, Manasquan's 5,300. Wayne had a housing shortage and all tenants purchased homes that were subdivided. Granting this subdivision would increase the non-conformity that presently exists. Homes in Wayne were not seasonal, all tenants were year-round renters and all tenants purchased the homes after subdivision.

Mr. Keane questioned Mr. Szymanski and then summed up. Board went into Executive Session at 4:40 PM and reviewed all evidence presented. Board went into Regular session and a motion made, seconded and carried to deny subdivision. Attorney directed to prepare Resolution 15-88 denying application.

Continuation of Minor Subdivision Robert Zanes, Lot 11, Block 162 Ocean Ave.
Applicant having no further witnesses, Mr. Pandolfe called on William Burkhardt, Tax Assessor for the Borough of Manasquan who presented official tax records on dates of construction and assessment of property and buildings as Exhibit XV along with a list of lots located throughout the Borough containing two or more structures.

Mr. Maguire presented into evidence as Exhibit XVI a revised plat dated 5/7/88 of original plat dated 11/30/87 showing additional parking.

Mr. Pandolfe called on Board Planner Paul Szymanski who presented into evidence as Exhibit XVII a portion of the tax map of the Borough indicating property owned by applicant and showing lots with two or more structures. Mr. Szymanski also presented into evidence as Exhibit XVIII Large map of the borough that he had prepared showing lots throughout the boro having two or more structures. Mr. Maguire cross-examined Mr. Szymanski.

Mr. Pandolfe called Ken Miller, Fire Inspector of the Borough of Manasquan who advised the driveway leading to the rear building was not wide enough to handle heavy fire fighting equipment and they need at least 18' to manipulate. He also was cross examined by Mr. Maguire

Mr. Maguire inquired of the Board if the applicant moved house #44 which would allow more parking would Board make this condition of approval. Mr. Maguire summed up at this point

Continuation of Draft of minutes of the Manasquan Planning Board Special Meeting
held 3:30 PM 5/10/88:

Zane minor subdivision hearing

Audience was asked if they had any questions or statements to make. Mr. R. Wathans, 1st Ave. asked if they granted subdivision wouldnt an easement have to be granted. Mr. Rinaldo, Captains Court asked Board to consider if it made a difference if the houses were used as year round residences.

Board went into Executive Session at 6:05 PM and reviewed all exhibits, testimony, then went into regular session and a motion made, seconded and carried to deny subdivision. Attorney directed to prepare Resolution 16-88 denying application.

Resolution 14-88 denying Minor subdivision of Mr. & Mrs. Shirley, Lot 6, Block 98 known as 84 Wyckoff read by Mr. Pandolfe and motion made, seconded and carried to accept Resolution.

Resolution 13-88 approving an amendment to Resolution 8-88 Site Plan Approval PTAT Systems, Lot 2, Block 54 read by Mr. Pandolfe. Motion made, seconded and carried to accept Resolution.

Resolution 12-88 denying minor subdivision of R & L Urban, Lot 10, Block 108, known as 51-55 N. Jackson ready by Mr. Pandolfe. Motion made, seconded and carried to accept Resolution.

Resolution 10-88 denying minor subdivision R & D Tomasso Lot 1, Block 176, known as 237 3rd Aven and 554 Brielle Road read by Mr. Pandolfe. Motion made, seconded and carried to accept Resolution.

No other business meeting adjoined 7:00 PM.

Sue Frauenheim, Sec.
Manasquan Planning Board

Next Meeting 6/7/88 8:00 PM
Worksession 7:30 PM

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

MANASQUAN PLANNING BOARD AGEND TUESDAY JULY 5, 1988

Due to the cancellation of the June 7, 1988 Meeting, each applicant will be allotted set time for their hearing:

1. Minutes of the May 3, 1988 Meeting
2. Minor Subdivision Application Estate of Mary McGovern, Lots 17-19 Blk. 48
216 Broad Street
3. Minor Subdivision Application Chester Morgan Lots 8B, 9 & 10 Block 125
61 S. McClellan Aven.
3. Informal Discussion Mr. Angersbach, Lot 1C, 2, 3, Block 31 known as
N. Main St. Corner Atlantic Ave. reference a subdivision
4. Major Subdivision Application Dorothy M. Maraziti, Lots 8, 9, 10 Block 169D
Rodgers Ave. at Intersection w/Outlet Creek
5. Site Plan/Minor Subdivision Appl. Longstreet Lots 11A & 11B Block 65
135 Main street to erect 2 story building with two professional
offices downstairs, one apartment upstairs.
6. Informal Discussion reference minor subdivision Lot 44.01, 35 Lakewood Rd.
Mr. & Mrs. Walekr
7. New Business
8. Old Business
9. Bills

Sue Frauenheim, Sec.
Manasquan Planning Board

7:30 PM Worksession

Draft of Minutes of the Mansquan Planning Board Meeting Held on July 5, 1988 8:00 PM in Borouhg Hall. All members present except Mayor Winterstella and Mrs. Ronan. Board Attorney and Secretary were present.

Worksession at 7:30 PM to review the evening agenda.

Minutes of May 3, 1988 Regularly scheduled meeting and minutes of the May 10, 1988 Special Meeting at 3:30 PM approved.

The June 7, 1988 Meeting was cancelled & therefore no minutes available.

Minor Subdivision - Chester Morgan, Lots 8B, 9, 10, Block 125, 61 So. McClellan presented by Mr. Morgan. Subdivision would make two lots one 115x101.69 with a single family house and a buildable lot 50 x 101.68, conforming to all zoning. Motion made, seconded and passed to direct attorney to prepare Resolution 18-1988 approving subdivision.

Minor Subdivision - Estate of Mary McGovern Lot 17 & 19, Block 48, 216 Broad St. presented by applicant's attorney, Bruce Wetzel, to subdivide into two lots; one 61x 219 with existing one family dwelling and one lot 39x219 buildable lot. An existing pool and deck would be removed. Applicant advised that any dwelling to be erected on the buildable lot would have a 50' set back and presented several neighbors as witnesses who would not object. One objector, Mrs. Paterson felt an existing shed on rear of property should be removed as it would be too close to the proposed subdivision line. Applicant willing to comply. Also, Boro Engineer requested plan be revised to show Broad St. pavement and right of way improvements and proposed depressed curb and driveway apron in detail. Applicant will comply. Motion made, seconded and passed to direct attorney to prepare Resolution 17-199 approving subdivision with conditions as recommended.

Informal Discussion Angersbach, Lot 1C, 2, 3 Block 31, 25 N. Main reference subdivision not heard as applicant was not present.

Major Subdivision Dorothy M. Maraziti Lots 8, 9, 10 Block 169D Rodgers Ave. at Intersection Watson Creek postponed until August at applicant's request since they just received comments of Boro Engineer (letter dated 7/5/88 and will have to review same.

Site Plan & minor Subdivision Application Wm. Longstreet Lot 11B & 12, Block 65 Corner Abe Vorhees Drive & V.M. Preseton Way. Applicant wishes to subdivide existing lot into two ; one with existing structure on Main Street and the second fronting on Abe Vorhees Drive on which they would construct one story building to house two professional offices downstairs and one apartment upstairs. Office floor area total 1712 sq. feet, apartment 1262 sq. feet. There exists an easement for 9' ROW located on north side of property. Applicant providing seven parking spaces to rear of building. Board advised applicant they would like their planner, Paul Szymanski to review site plan and hearing will continue in August.

Informal Discussion - Mr. & Mrs. Walker, 35 Lakewood Road, Lot 44.01 minor subdivision. to subdivide lot into one 50x120 and one 50x90.4. Existing one family house would have to be moved back approximately five feet. Applicant advised to submit minor subdivision application.

Continuation of Draft of Minutes of the Planning Board Meeting 7/5/88

Board voted to hold a special meeting on Wednesday July 27, 1988 at 3:00 PM to discuss Reexamination of Master Plan. Secretary to publish notice.

Secretary advised Board she would be on vacation for the August 2, 1988 scheduled meeting. Board voted to postpone meeting until August 9, 1988. Secretary to publish notice.

Meeting adjourned 10:30 PM.

Sue Frauenheim, Sec.
Manasquan Planning Board

Next Meeting Tuesday August 9, 1988
7:30 Worksession

Dezr Member:

Enclosed please find minutes of the July5,1988 Meeting and minutes of the July27,1988 Special Meeting.

Agenda for August 9,1988 Meeting:

1. Minutes of 7/5/88 Meeting and 7/27/88 Special Meeting
2. Reading Resolution 17-88 - Minor Subdivision Approval
Estate of Mary McGovern
3. Reading Resolution 18-88 Minor Subdivision Approval Chester
Morgan
4. Continuation Hearing Longstreet Site Plan Lots 11A & 11B
Block 65.
5. Major Subdivision Application Dorothy Maraziti Lots 8,9,10
Block 169D.
6. New Business
7. Old Business
8. Payment of Outstanding Bills.

Sue Frauenheim, Sec.
Manasquan Planning Board

Draft of Minutes of the Manasquan Planning Board Special Meeting held July 27, 1988 at 3:00 PM in Boro Hall to discuss the Reexamination of the Master Plan. All members except Mayor Winterstella and William Ruff were present. Board Attorney, Secretary and Planner also were present.

Meeting called to order 3:00PM by Vice-Chairman Donovan who advised members and audience that under the Land Use Act, every Municipality is required to re-examine their master plan every six years, and make recommendations to Mayor & Council on any revisions, additions, changes, etc..

Mr. Donovan advised the board he had requested Mayor & Council to introduce an ordinance for emergency appropriations of \$15,000 to cover costs of re-examination and Mayor & Council have approved the \$11,00 fee of Mr. Szymanski.

Mr. Szymanski presented each member with a copy of his Reexamination report and explained that one of the requirements of the Land Use Act was to include recycling in the master plan and the adoption of a Housing Element, as per Fair Housing Act.

Since the updating of a master plan is so important, Attorney John Pandolfe suggested the Board set aside 15-20 minutes each monthly meeting to discuss any changes. He also suggested a letter be written to Mayor & Council, Board of Adjustment, Shade Tree Commission, Environmental Commission, Fire Inspector Chief of Police and others to advise them that we are undergoing reexamination of the Master Plan and would appreciate receiving any comments, suggestions, etc. they may have to offer.

After reviewing Mr. Szymanski's report, Board Passed Resolution 19-1988 accepting the Re-Examination of the Master Plan.

Meeting adjourned at 4:45PM.

Sue Frauenheim, Sec.
Manasquan Planning Board

Draft of Minutes of the Mansquan Planning Board Meeting held Tuesday August 9, 1988. All members were present except Mrs. Ronan and Mr. Ianelli. Mayor Winterstella introduced newly appointed member, Mr. Waltzinger.

Worksession at 7:30 PM to discuss evenings agenda.

Meeting called to order at 8:00 PM by Vice-Chairman, William Donovan, and roll call taken. Board members elected Mr. William Donovan, Chairman and Mr. E. Stanley Vice Chairman.

Secretary advised Members that Mrs. Patterson, Broad Street, had requested that the minutes of the Planning Board Meeting held July 5, 1988 be amended to show that she objected to the subdivision application of the McGovern Estate, Lot 17/19 Block 48 due to the closeness of the houses. Minutes of the July 5, 1988 meeting accepted with the amendment as stipulated.

Resolution 17-88 - McGovern Estate, Lot 17/19 Block 48 Minor Subdivision Approval was read by Board attorney John Pandolfe and approved by the Board.

Resolution 18-88 - Chet Morgan, Lot 8B, 9, 10 Block 12 Minor Subdivision Approval was read by Board Attorney John Pandolfe and approved by the Board.

Longstreet Site Plan Application William Longstreet Lot 11B & 12, Block 65. Mr. Longstreet was asked to waive time period requirements in order that he can comply with the technical requirements the Board Planner, Board Szymanski has raised concerning incomplete plans, off-street loading requirements to building located on Main Street, fire zones etc. Mr. Longstreet agreed to waive time period and application will be continued at Sept. Meeting.

Maraziti Major Subdivision Lots 8, 9, 10, Block 169D. Mr. Kevin Thomas, attorney for the applicant requested waiver of time period required and presented applicant's major subdivision. Entered into evidence was:

- EXhibit I- Application
- II. Affidavit of Proof of Mailing
- III Plat Plan dated 2/14/88 prepared by C.E. Engineering
- IV Boro Engineer's Letter dated July 5, 1988

Applicant's Engineer, Ray Carpenter of C.E. Engineering described the project as being presently three lots which applicant wants to subdivide into five buildable lots along with a variance for one lot which will not front on a street. At this time Mr. Pandolfe offered into evidence:

- Exhibit V - Board Planner, Paul Szymanski's report dated August 5, 1988
- VI Four photos taken by Mr. Szymanski showing property and surrounding area.

Mr. Carpenter presented as Exhibit A-VIII A map showing first floor areas of houses within 200' of the proposed development. Also entered into evidence Exhibit A-IX ten photos showing the applicants property and surrounding lots.

Mr. Pandolfe entered into evidence, Exhibit X-view of driveway easment for lot facing Third Ave., XI view of Easments of the Zanes Subdivision on Ocean Ave and Exhibit XII showing easement view of three houses behind Maraziti served by common drive Photos prepared by Paul Szymanski.

Mr. Carpenter advised all lots meeting zoning requirements, applicant will provide sidewalks and curbing. Mr. Pandolfe advised Mr. Carpenter the board would like to see what type of houses will be constructed, i.e. will they be look-alikes and would like to see deeds covering the water area. Also, will use of boat slips be restricted to property owners. Mr. Carpenter advised they would and plan to develop with the statutory limitations. All wiring will be underground. Hearing to continue in

September to allow for Planner's report and Fire Inspector's report.

Board advised Secretary to write to Mayor & Council requesting they amend wording of Zoning Chapter 107.27 as it pertains to front width of a lot to insure the front footage width requirement is on the street.

Meeting adjourned at 10:15 PM.

Sue Frauenheim, Sec.
Manasquan Planning Board

Next Meeting Sept. 6, 1988
Worksession 7:30 PM

Draft of Minutes of the Manasquan Planning Board Meeting held on Tuesday September 6, 1988 in Boro Hall. All members present, Board attorney, Consultant and Secretary Present.

Worksession at 7:30 PM to review evening agenda.

Meeting called to order by Chairman W. Donovan at 8:00 PM. Roll call taken and minutes of the August 9, 1988 meeting were approved.

Maraziti-Major Subdivision Lots 8, 9, 10 Block 169 Continued -Entered into evidence were Exhibit XIII Paul Szymanski Report 8/25/88

Exhibit XIV-Manasquan Fire Official Kenneth Millers letter dated 8/16/88

Exhibit XV- Revised Plat Plan dated 9/1/88 C.E. Engineering

Exhibit XVI Deed dated 6/6/80 deeded property from Beach Glen to Dorothy Maraziti

Exhibit XVII- Deed dated 12/3/87 deeding property to Dorothy Maraziti from Michael Maraziti

Applicants attorney Kevin Thomas called on applicant's engineer, Mr. Carpenter who advised Board maps were revised to show Lot 9 rounded off to provide easier access to new Lot 9A. Board members questioned Mr. Carpenter as to fire hydrants, sewers, Mr. Pandolfe asked if applicant had any idea of type of structures that would be constructed. Entered into Evidence as Exhibit XVIII - photostat of 2-story farmhouse to be built on Lot 8A and as Exhibit XIX - 2-Story contemporary possibly could be built. Mr. Pandolfe asked if client would agree to condition pertaining to type of building and size of houses.

Called to give testimony was Manasquan Fire Official Kenneth Miller who advised he would like to see parking prohibited on Rogers Avenue; prohibited both sides of driveway easement and no parking along bulkhead. Advised Board the 15' driveway not wide enough to accomodate fire equipment and that he believed parcel of land was too small for five homes.

Due to lateness of hour, hearing continued until October 4, 1988.

Extension of Time application - John & Frances Drew Resolution 12-85 minor subdivision Lot 1A Block 155, NEW LOTS Lots 1.01 and 1.02. Due to misunderstanding between surveyor and applicant, map was neverfiled in Freehold. Requested extension in order to file. Board approved extension and directed attorney to prepare Resolution.

Conditional Use Permit -Lot 1A, Block 31 Clarke Bros, 21 N. Main . Applicant's attorney, Ralph Shield presented Plat, Affidavit of Service-III, Affidavit of publication as Exhibit IV State Approval from Dept. Labor Exhibit II, Mr. Shields also advised Board The Boro Fire Official had approved and stamped plat. Mr. Shields called George Stocker, Licensed Professional Engineer who gave testimony of the safety of proposed installation of propane gastank for refilling of home Bar-B-Q containers. Applicant would install 6' high fence and tanke would be equipped with safety check valves. Several objectors in the audience questioned Mr. Stocker, as well as board members. Hearing to continue October 4, 1988

Informal Discussion Mr. & Mrs. Frank Scimeca Lot 1B, Block 63, commonly known as the Manasquan Bike Shop, Main Street. Applicant proposes to construct 2-story addition to existing building, retail space on first/ground floor and one residential apartment on the second floor. Applicant advised to submit Site Plan Application.

Board voted to have Special Meeting Tuesday October 4, 1988 5:30 PM to 7:30 PM to discuss Master Plan Update. Secretary to advise papers of Special Meeting. Board's regularly scheduled meeting will be held at 8:00 PM 10/4/88 with a worksession at 7:30 PM. Meeting adjourned at 10:45 PM.

10/4/88 - 5:30 PM-7:30 PM-Master Plan
7:30 PM Worksession
8:00 PM Regular Meeting

Sue Frauenheim, Sec.
Manasquan Planing Board

Dear Member:

Enclosed please find draft of minutes of the Planning Board Meeting held August 9, 1988. Agenda for The September 6, 1988 Meeting is:

1. Minutes of the August 9, 1988 Meeting.
2. Continuation Hearing Maraziti Major Subdivision Lots 8, 9, 10 Block 169D
3. Clarke Bros. T/A Clarke's Gulf N. Main St. Conditional Use Application to install storage facility for retail sale propane gas.
4. John Drew, Ammended Application Minor Subdivision Resolution 12-85 Through oversight, applicant neglected to file map in Monmouth County. Wishes to be granted extension.
5. Informal Discuss, Mr. & Mrs. Scimeca, Lot 1B Block 63 Main Street. Reference Site Plan application to extend building (presently Bike Shop) and add apartment on second floor.
6. Old Business
7. New Business

Sue Frauenheim, Sec.
Manasquan Planning Board

Worksession 7:30 PM

P.S. Mr. Longstreet was in to see me August 22nd and advised he is withdrawing his site plan.

Dear Member:

Enclosed please find copy of the minutes of the Manasquan Planning Board meeting held October 4, 1988. The Agenda for the November 1, 1988 meeting will be;

7:30 PM Worksession

8.00 PM Minutes of the September Meeting

Continuation Hearing Major Subdivision, Maraziti
Lots 8,9,10 Block 169.

Continuation Hearing Condition. Use Permit,
Clarke Bros., Lot 1A, Block 31

New Business

Old Business

Also enclosed please copy of the minutes of the Manasquan Planning Board Special Meeting held at 5:30PM to 7:30 PM on the Re-examination of the Master Plan. The Agenda for the November 1, 1988 Special Meeting at 6:00 PM will be:

Minutes of 10/4/88 Speical Meeting 5:30-7:30 PM
Discussion of Existing Development Patterns

Population Information

Other Background PLanning Material.

Sue Frauenheim, Sec.
Manasquan PLanning Board

11/1/88

6:00 7:30 PM - Master Plan
7:30 Regular Meeting Worksession
8:00 Regular Meeting

Draft of Minutes of the Manasquan Planning Board Meeting held on Tuesday Oct.4,1988 at 8:00 PM. All members were present except Mayor Winterstella and Mrs. Ronan. Board Secretary, Attorney and Planner were present.

Worksession Meeting at 7:30 PM to discuss evening's agenda. Mr.Pandolfe advised the Board they could hear the Informal Discussion requested by Robert Houseal, architect for Robert Scerrato, Lot 17, Block 62, known as 67 Taylor Ave. Mr.Houseal presented a schematic showing the existing residence which Mr.Scerrato would like to convert into commerical office, having 1900 sq. feet. They would have a paved parking lot with seven parking spaces, provide buffer zones, landscaping, etc. First Floor would be used for Mr. Scerrato's business, processing equipment, and second floor would be a rental apartment. Applicant advised to meet with Boro Planner to review plans and submit an application.

Clarke Bros. Conditional Use Application ,Lot 8,9,10 Block 169 D for installation of a propane tank . Mr.Pandolfe advised the Board that certain objectors had obtained Mr. John Colannino, Esq. to represent them and Mr.Colannino requested a postponement until November as he could not attend the October Meeting. Members voted to continue hearing at the November meeting.

Resolution 20-88 Extension of Time Approval, Drew Minor Subdivision Lots 1A,1B,Block 155 (Resolution 12-85) Motion made, seconded and carried to accept Resolution 20-88, in order that applicant might file map in Monmouth County.

Maraziti Major Subdivision, Lots 8,9,10 Block 169 - Fourth Ave. Board called upon Ken Miller, Manasquan Fire Official, to give testimony and entered into Evidence as Exhibit XX was Mr. Letter dated 10/4/88. Mr. Miller recommended installation of a second fire hydrant and the widening of the 15' easement leading to rear lots as this was not adequate to accomodate fire equipment. Mr. Miller was then asked questions by applicant's attorney, Kevin Thomas. Also giving testimony was Fire Chief John Herbert who advised Board the Fire Dept. recommends a 20' wide easement to allow their equipment in. Mr. Thomas also questioned this witness. Both Messrs.Miller & Herbert recommended denial of subdivision, due to closeness of proposed units.

Board planner, Paul Szymanski gave testimony as to his recommendations as reported by him August 5,1988 and August 25,1988. Mr. Szymanski advised he would like to see some landscaping plans.

Board attorney advised Board he would like to have comments, etc. from the Boro Engineer and will ask him to attend the November Meeting. Mr. Pandolfe asked Board Members to visit the site in person and discuss their views at the November Meeting. Hearing to continue November 1,1988.

No other business meeting adjourned at 10:00 PM

Sue Frauenheim, Sec.
Manasquan Planning Board

Next Meeting Tuesday Nov.1,1988
7:30 PM Worksession
8:00 PM Regular Meeting

Draft of Minutes of Manasquan Planning Board Special Master Plan Meeting held in Boro Hall on Tuesday October 4, 1988 5:30 PM - 7:30 PM. All members present except Mayor John Winterstella and Mrs. Rowan. Board Attorney, Planner, and Secretary were present.

Mr. Szymanski, Planning Board Planner presented members with copies of the scope of services in regard to the Re-Examination of the Master Plan and Development Regulations as submitted to Mayor and Council September 19, 1988.

The 1982 Reexamination recommended changes should be implemented into a new map. Also look into each zone and determine if there are any changes warranted that should be discussed. Mr. Szymanski presented a work program (as per attached report) covering:

General reexamination of existing Master Plan, Reexamination in 1982 which will provide a background analysis document for the basis of master plan updating program.

Existing Land Use/Physical Conditions Survey - a lot by lot survey of existing land use pattern

Vacant Lands Analysis- Review of vacant lands so decisions can be made relative to future land use, etc.

Mandatory Housing Element as mandated by The Council on Affordable Housing

Land Use Plan Element- A revised Master Plan Land Use element will be prepared in accord with Municipal Land Use Law Requirements, to include both a text and a land use plan map.

Development Regulations Revisions - The Borough's Land Development Ordinance will be revised as appropriate, to be in accord with the Land Use Plan and Housing Plan Elements and incorporate other changes and additions identified through the review process. This will include Zoning Ordinance and Zoning Map, Subdivision and Site Plan Regulations and other revisions necessitated by law.

With reference to affordable housing and the need for low housing in Manasquan, Mr. Szymanski advised he has been in touch with Council on Affordable Housing. Their 1986 job list had Manasquan providing 3,274 jobs. There are actually 1168 jobs in Manasquan, but the Council has taken all businesses with Manasquan addresses into account. They base the number of Affordable Houses required in a Municipality by the number of jobs available. Mr. Szymanski has advised them of the error in calculating those businesses not actually in Manasquan and is awaiting their reply as to the correct percentage of affordable housing for Manasquan.

Members all in favor of publicizing the Master Plan Meetings and voted to hold Special Meeting from 6:00 PM to 7:30 PM each first Tuesday of the month, before the regularly scheduled Planning Board Meetings. They anticipate holding Special Meeting in November, December, January and will advise the Asbury Press and the Coast Star of exact meeting dates, time and agenda so the public will be aware and attend the meetings, and participate in the proceedings.

Master Plan Reexamination Hearing to continue 6:00 PM - 7:30 PM Tuesday November 1, 1988.

Sue Fraenheim, Sec.
Manasquan Planning Board

CONTRACT FOR PROFESSIONAL SERVICES

THIS agreement, entered into as of this 19th day of Sept. 1988, by and between the BOROUGH OF MANASQUAN and PAUL F. SZYMANSKI, P.P. (hereinafter called the Consultant):

WHEREAS, the BOROUGH OF MANASQUAN desires to engage the Consultant for planning services as hereinafter set forth; and

WHEREAS, the Consultant is willing and able to provide the requested planning services;

NOW, THEREFORE, the parties mutually agree as follows:

I. Employment of Consultant:

The Borough of Manasquan agrees to employ the Consultant to provide the services described below and in accordance with all the terms of this Agreement.

II. Scope of Services:

The scope of services to be provided is as described in the attached Exhibit A.

III. Time of Performance:

Planning services will be initiated immediately upon receipt of an executed copy of this Agreement and delivery of the data and material described in Section VI, below. The estimated time to complete the Scope of Services is three (3) months.

IV. Meetings:

Six meetings including two public hearings will be provided and include those of the Planning Board and Borough Council, as appropriate.

V. Reports and Memoranda:

The number of such reports will be provided as follows:

-- memos and draft reports	- 15 copies
-- Re-examination Report	- 25 copies
-- Land Use Element	- 30 copies
-- Housing Element	- 30 copies

VI. Materials to Be Provided:

The Borough will provide the following to the Consultant: a listing of any use variances granted since adoption of the current Master Plan; a set of tax maps; a copy of the tax lot ownership listing, and other materials and information requested for the purposes of this Agreement.

VII. Fees and Billings:

The fee for all services will be \$11,000. The billing schedule will be as follows:

- \$ 750 upon completion of 50% of Task 1
- \$ 750 upon completion of 100% of Task 1
- \$2,000 upon completion of Task 2
- \$1,000 upon completion of Task 3
- \$2,000 upon completion of Task 4
- \$1,500 upon completion of Task 5
- \$2,000 upon completion of Task 6
- \$1,000 upon completion of all services.

All billings will be in accord with Borough of Manasquan procedures. All bills are due within 30 days.

VIII. Termination of Agreement

- This Agreement may be terminated at any time by either party in writing.
- If the Agreement is terminated, the Consultant will be paid for services rendered to the day of termination.

In witness whereof,

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed, their seals affixed and attested by duly authorized officers.

ATTEST:

Margaret M. Maxwell

Borough of Manasquan

John L. Winterstella

John L. Winterstella, Mayor

WITNESS:

Paul F. Szymanski

Consultant:

Paul F. Szymanski

Paul F. Szymanski, P.P.

SCOPE OF SERVICES

TASK 1. GENERAL RE-EXAMINATION OF MASTER PLAN AND DEVELOPMENT REGULATIONS

Objective:

Preparation of the mandatory re-examination report satisfying requirements of the New Jersey Municipal Land Use Law. Proposed re-examination effort will be undertaken involving the consultant, the Planning Board and others, as appropriate. The re-examination reports will be a background analysis document providing the basis for any master plan updating program.

Work Program:

A. Identification of the major problems and objectives relating to land development at the time of the last adoption or revision of the Master Plan;

and

B. A review of the extent to which these problems and objectives have been reduced or increased since last Master Plan adoption. Undertaking of the above will involve:

- review of Manasquan's existing Master Plan and Background Studies;
- review of Planning Board minutes taken during Master Plan preparation and Public Hearing process (if any exist);
- review of the 1982 Master Plan re-examination Report;
- identification of zone changes or use variances granted since Master Plan adoption;
- identification of changes in land use that have occurred;
- identification of development applications approved or under review, but not yet constructed;
- discussions with appropriate Borough staff members.

The evaluation will determine which problems and/or objectives are still of concern to Manasquan today. The undertaking of this task will also include the identification of land development problems and objectives not previously identified or experienced, but which should be addressed in any Master Plan updating.

- C. The extent to which there have been significant changes in the assumptions, policies and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, and changes in State, county and municipal policies and objectives.

The undertaking of this task will include review of:

- population factors, growth trends, 1980 census data, etc.;
- land use factors especially relating to vacant lands;
- traffic and traffic circulation;
- housing conditions and factors including types of permitted housing, densities, affordable housing considerations, special needs of population segments;
- natural resources of the community, including conservation measures, State Planning Commission guidelines, etc.;
- business district area;
- historic preservation;
- utilities and community facilities, including school factors and recreation facilities;
- State, County and Municipal policy changes including amendments to the Municipal Land Use Law.

Also to be referenced are changes in the State, County and any Regional Plan, and any legal court actions appropriate to the review process.

- D. Compilation of the specific Planning Board recommendations for changes to the Master Plan and/or municipal land development regulations - zoning, subdivision, site plan, other. These recommendations will include the extent that such documents require change. Identified changes to land development regulations will be based on input from both Planning and Zoning Boards and their staff, attorneys and consultants, and other suggestions deemed appropriate, based on changes in State law.
- E. Recommendations for the undertaking of additional studies will be made, as appropriate.
- F. Preparation of a "Re-examination Report" suitable for submission to the County Planning Board and Clerks of adjoining municipalities, as required by law.

Task 2 . EXISTING LAND USE/PHYSICAL CONDITIONS SURVEY

A lot by lot survey of existing land use and physical condition will be undertaken as a critical part of the re-examination planning process. The undertaking of this effort will provide:

- a work map in color identifying the Borough's current land use pattern;
- basis to identify inconsistencies between the existing Land Use Plan Map and the Zoning Map and existing Borough development;
- the identification of incompatible land use relationships;
- the identification of the Borough's vacant lands inventory
- the identification of parcels with structures in need of repair or other upgrading;
- possible redevelopment "opportunities".

This task will involve a preparation of series of overlays to assist in the development of the above. As an option, the existing land use map can be reduced and printed as an exhibit to be included on the re-examination report.

Task 3 . VACANT LANDS ANALYSIS

All identified vacant lands will be mapped and analyzed in chart form in terms of adjoining development, zoning, physical features, environmental considerations, and access. Based upon a review of the above, decisions will be made relative to future land use, adequacy of current zoning, etc.

TASK 4. Mandatory Housing Element

A Housing Element will be prepared and include the following mandatory contents:

- a. An inventory of the Borough's housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low and moderate income households and substandard housing capable of being rehabilitated, and in conducting this inventory the municipality shall have access, on a confidential basis for the sole purpose of conducting the inventory, to all necessary property tax assessment records and information in the assessor's office, including but not limited to the property record cards;
- b. A projection of the Borough's housing stock including the probable future construction of low and moderate-income housing for the next six years taking into account but not necessarily limited to construction permits issued, approval of applications for development and probable residential development of lands;
- c. An analysis of the Borough's demographic characteristics including, but not limited to, household size, income level and age;
- d. An analysis of the existing and probable future employment characteristics of the Borough;
- e. A determination of the Borough's present and prospective Fair Share for low and moderate-income housing and its capacity to accommodate its present and prospective housing needs including its Fair Share for low and moderate-income housing;
- f. A consideration of the lands that are most appropriate for construction of low and moderate-income housing and the existing structures most appropriate for conversion to or rehabilitation for low and moderate-income housing including a consideration of lands of developers who have expressed a commitment to provide low and moderate-income housing;

The preparation of the above will most likely include some or all of the following.

1. The location and capacities of existing and proposed water and sewer lines in facilities relevant to the designated sites;
2. Review of sewer services and water quality management plans submitted pursuant to Sections 201 and 208 of the Federal Clean Water Act, 33 USCS1251, etc.;
3. Review of appropriate National Wetlands Inventory Maps provided by U.S. Fish and Wildlife Service for designated sites;
4. Identification on appropriate U.S.G.S. topographic quadrangles any designated sites for low and moderate cost housing;
5. A complete description of the Borough's calculation of its fair share of its region's present and prospective need for low and moderate-income housing pursuant to a methodology or formula determined by the Council on Affordable Housing;
6. A complete and final statement of any and all adjustments set forth in Section VII of the Act which the Borough relies upon to reduce its housing obligation.

TASK 5. Land Use Plan Element

A revised Master Plan Land Use element will be prepared in accord with Municipal Land Use Law requirements. The element will include a comprehensive statement of planning goals and objectives as well as a statement relative to the relation of the Plan to plans of adjoining municipalities and County and State plans. The Plan will include both a text and a Land Use Plan map. Preparation of the plan will include, in addition to customary matters, determinations relative to the land use and zoning of vacant land parcels, obsolete industrial and commercial properties, the business area and lower income housing will be made.

TASK 6. Development Regulations Revisions

The Borough's Land Development Ordinance will be revised, as appropriate, to be in accord with the Land Use Plan and Housing Plan Elements and incorporate other changes and additions identified through the review process. This will include the Zoning Ordinance and Zoning Map, Subdivision and Site Plan regulations and other revisions necessitated by law.

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

Draft of Minutes of the Manasquan Planning Board Meeting held November 1, 1988.

All members present except Mr. J. Iannelli. Board Attorney, Secretary and Planner also present.

Work session at 7:30 p.m. to review evening's agenda.

Meeting called to order at 8 p.m. by Chairman W. Donovan and roll call taken.

Minutes of the October 4, 1988 Planning Board Meeting and Special Master Plan meeting were approved.

Clarke Brothers Conditional Use Application - (cont.) Mr. Ralph Shields, attorney for the applicant, advised the board that a question had arisen as to whether this application fell under a "conditional use" category or required a variance, in which case it had to go before the Board of Adjustment. Mr. Shields requested an adjournment and was unsure how much time was needed to clarify the matter. The applicant waived the time period and the Board voted to continue the hearing at the December 6, 1988 meeting.

Maraziti Major Subdivision Application - (cont.) Mr. Kevin Thomas, attorney for the applicant, had no further witnesses to call.

Board Attorney Mr. Pandolfe advised the Board he had two further witnesses to call, Paul Szymanski, planner; and William Farrell, Board Engineer.

Mr. Pandolfe discussed a letter from Mr. Farrell in which Mr. Farrell offered negative comments on the subdivision. Mr. Pandolfe stated that Mr. Farrell was unable to attend the meeting and that the Board, applicant, Planner and audience should have the opportunity to question him.

The Board voted to continue the hearing at the December 6, 1988 meeting.

The Secretary advised Board Members of the following outstanding bills for Boro Engineer's services:

Captain's Court (Mr. J. Tombro)	approximately \$1300.00
Stuart Marketing Morris Avenue	approximately \$6700.00

The Board Attorney will contact each applicant and advise them to make payment.

Monmouth Cablevision 34 asked if Chairman Donovan would be interviewed regarding background on the two applications that have been postponed.

At 9 p.m., Board went into Closed session to discuss pending litigations
There being no further business, the meeting adjourned at 9:30 p.m.

Sue Frauenheim, Sec.
Manasquan Planning Board

Next Meeting: Special Meeting Tuesday, November 29, 4:30 p.m. reference approval
of minor subdivisions of Schulman, Tomasso, Shirley, Zanes and Urbano.

Special Master Plan Meeting December 6, 1988 6-7:30 p.m.

Regular Meeting December 6, 1988 7:30 p.m. Worksession
8 p.m. Meeting

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

Draft of the Minutes of the Manasquan Planning Board Special Meeting-Master Plan
November 1, 1988
6 - 7:30 p.m.

Planning Board Chairman William Donovan called the special meeting to order; all were present except Mrs. Ronan and Mr. Iannelli.

Mr. Donovan called upon Paul F. Szymanski, P.P., to discuss the updating of the Master Plan.

Mr. Szymanski advised the Board that he had been in touch with the Council on Affordable Housing (COAH) concerning their determination that Manasquan would have a quota of 224 houses due to the number of available jobs in the borough. He pointed out to them that there were many businesses with Manasquan addresses that were actually located in Wall. The Council revised their figures, reducing the number to 116 units; 34 units for rehabilitation and 82 new units.

Concerning the rehabilitated units, he advised the State vetoed an act wherein a municipality could declare areas blighted and a builder could come in, demolish existing buildings and then build new ones.

Mr. Szymanski said that since Manasquan does not have any suitable land for new unit construction, any submission to COAH or the Housing Element / Fair Share Plan will reflect reduction in new houses to "zero".

Mr. Szymanski also discussed the Fanwood case, in which Fanwood is fighting a state ruling that they must allow private developers to demolish single family homes to construct low to moderate income units.

Mayor John Winterstella asked if Manasquan could be forced to change zoning to accommodate two-story, high density units to satisfy COAH requirements.

Mr. Szymanski also discussed how some towns have transferred a portion of their requirements to other towns.

The Board was provided with population and projected population information. Mr. Szymanski said there would be little change in the population because there is no available land.

Mr. Szymanski, continuing from the last meeting, discussed with the Board and the public the needs and assets of the borough. Some areas mentioned were:

NEEDS

Parking problem solution
Curbs
Sidewalks
Taxes
Updating of sewer systems
Updating of bridges

ASSETS

Public parking lots (lacking in Brielle, Wall, Spring Lake, Spring Lake Heights and Sea Girt)
Beaches
Parks
Convenient downtown business center
Easy access from county, state roads
Train and bus service
Recreational facilities
Churches
Private and public schools
Housing Values

Mr. Szymanski advised the Board they need to resolve rental area problems and to review existing zoning as to what changes should be made; check building codes and permitted uses.

Next Special Planning Board Meeting: December 6, 1988, 6 - 7:30 p.m.

Sue Frauenheim, Sec.
Manasquan Planning Board

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

MANASQUAN PLANNING BOARD

MINUTES
SPECIAL MEETING

NOVEMBER 29, 1988

The Planning Board of the Borough of Manasquan held a special meeting on November 29, 1988 for the reading of the resolutions approving minor subdivisions as ordered by Judge Milberg. The meeting was called to order at 4:35 p.m. by Board Chairman William Donovan, who noted that no other business would be conducted.

Roll Call: Present: Mr. Donovan, Mayor Winterstella, Mr. Iannelli,
Mr. Stanley, Mrs. Danish, Mr. Ruf, Mr. Diamond,
Mr. Waltzinger.

Absent: Mrs. Ronan.

Chairman Donovan asked Vice Chairman Stanley to read the resolutions.

Prior to the reading of the resolutions, Mr. T. O'Brien, attorney for Tomasso, et al, and Mr. K. Thomas, attorney for Mr. and Mrs. Shitley, advised the Board they had milar and cloth copies of subdivisions for their clients which they would like signed.

21-1988 - David and Judith Shirley - 84 Wyckoff Avenue - Lot 6, Block 98 - Mr. Stanley read the resolution, which grants a minor subdivision at Lot 6, Block 98. The Shirleys, 33 Fisk Avenue, Manasquan, were represented by Mr. Thomas.

A motion was made and seconded to approve the resolution; the motion was passed by the following vote: "Yes" Mr. Donovan, Mr. Iannelli, Mr. Stanley, Mrs. Danish, Mr. Ruf, Mr. Diamond, Mr. Waltzinger. "No" none. "Abstain" Mayor Winterstella.

Mr. Thomas presented milar and cloth copies of the subdivision for signatures and advised maps reflect the easements as approved. Mr. Iannelli made a motion to delay the signing of any maps until the Borough Engineer reviewed them. The motion carried. Mr. Thomas then read Judge Milberg's order and advised the cloth and milar copies were the same as the original map. The Secretary gave Mr. Iannelli Exhibit II, Proposed Subdivision Map dated October 19, 1987 prepared by Walter J. Partington. Mr. Iannelli reviewed the map and advised that he was satisfied the milar and cloth copies were the

same as the original and withdrew his motion not to have them signed. All members concurred and the Chairman and Secretary signed the maps.

22-1988 - Robert Zanes - 42 - 44 Ocean Avenue - Lot 11, Block 162 - The resolution, which grants a minor subdivision at Lot 11, Block 162, was read by Mr. Stanley. Mr. Zanes, 104 Ocean Avenue, Manasquan, was represented by Mr. R. Maguire.

A motion was made to approve the resolution; motion was seconded and carried by the following vote: "Yes" Mr. Donovan, Mr. Iannelli, Mr. Stanley, Mrs. Danish, Mr. Ruf, Mr. Diamond, Mr. Waltzinger. "No" none. "Abstain" Mayor Winterstella. The maps were signed by the Chairman and Secretary.

Mr. Maguire informed the Board that he had never been notified about the special meeting and that it was embarrassing to have his client call and tell him about the meeting. The Secretary and Board noted that the meeting was published in the local newspaper according to the law.

23-1988 - Dr. Ira Schulman - 46-47 First Avenue - Lot 16, Block 165 - The resolution, which grants a minor subdivision at Lot 16, Block 165, was read by Mr. Stanley. Dr. Schulman, 405 E. 79th Street, Apt 14B, New York City, was not represented by counsel. No maps were presented for signature.

A motion was made and seconded to approve the resolution. Motion was carried by the following vote: "Yes" Mr. Donovan, Mr. Iannelli, Mr. Stanley, Mrs. Danish, Mr. Ruf, Mr. Diamond, Mr. Waltzinger. "No" none. "Abstain" Mayor Winterstella.

24 - 1988 - Raymond and Dorothy Tomasso and Raymond Tomasso, Jr. - 237 Third Avenue and 554 Brielle Road - Block 176, Lot 1 - The resolution, granting a minor subdivision at Lot 1, Block 176, was read by Mr. Stanley. The Tomassos, 610 Irvington Avenue, Hillside, NJ, were represented by Mr. O'Brien.

A motion was made and seconded to approve the resolution. The motion was carried by the following vote: "yes" Mr. Donovan, Mr. Iannelli, Mr. Stanley, Mrs. Danish, Mr. Ruf, Mr. Diamond, Mr. Waltzinger. "No" none. "Abstain" Mayor Winterstella.

Addressing Chairman Donovan, Mayor Winterstella stated for the record "I think the attorneys involved in this situation, the applicants and Judge Milberg should be ashamed of themselves."

Calling the resolved subdivisions "definitely poor zoning," Mayor Winterstella said the resolutions created lots with no parking or access for fire or emergency vehicles.

"What have you done it for? Purely so your clients can get money and you can get a fee. There is practically no socially redeeming value to this. Unlike the Biers - McClean, where those people are going to have to live there and want to live in those houses, the only reason you are doing this is to allow these people to make more money off their property, and I think you and Judge Milberg should be ashamed," said Mayor Winterstella.

The maps were presented for signatures by the Chairman and Secretary.

Mr. O'Brien also expressed concern over not being informed regarding the meeting. He stated it was the responsibility not of the Board but of the Board Attorney, Mr. Pandolfe, and Mr. O'Brien said he would be in touch with Mr. Pandolfe.

25 - 1988 - Ronald and Linda Urban - 51-55 N. Jackson Avenue - Lot 10, Block 108 - The resolution, which grants a minor subdivision at Lot 10, Block 108, was read by Mr. Stanley. The Urbans, 431 Cedar Drive W., Briarcliff Manor, NY, were represented by Mr. Thomas.

Mr. Thomas asked that the conditions of the resolution be amended so that the applicant would provide a certain number of parking spaces as approved by the Borough Engineer in consultation with the applicant's engineer. The Board carried the motion to amend the resolution and then carried the amended resolution by the following vote: "Yes" Mr. Donovan, Mr. Iannelli, Mr. Stanley, Mrs. Danish, Mr. Ruf, Mr. Diamond, Mr. Waltzinger. "No" none. "Abstain" Mayor Winterstella.

Board Member Iannelli addressed the Chairman and wanted it on the record that he could not understand the decision to approve these subdivisions and noted that the Borough was in the process of updating their Master Plan. He felt these cases were unlike Biers and McClean cases and approving them has cut lot sizes down from 5000 square foot to 2000 square foot. Mr Iannelli said because it is the law, he must accept it, but he also felt it was poor zoning.

Chairman Donovan also noted his reluctance regarding the resolutions.

A motion was made, seconded and carried to adjourn the special meeting at 5:30 p.m.

Sue Frauenheim, Sec.
Manasquan Planning Board

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

The Planning Board of the Borough of Manasquan held their regular meeting December 6, 1988 at Manasquan Borough Hall. The meeting was called to order at 8 p.m. by Board Chairman William Donovan.

Roll Call: Present: Mr. Donovan, Mayor Winterstella, Mr. Iannelli,
Mr. Stanley, Mr. Ruf, Mr. Diamond, Mr. Waltzinger,
Mrs. Ronan.

Absent: Mrs. Danish

Chairman Donovan said the meeting has been published in accordance with the Open Public Meetings Act. The minutes of the November 1, 1988 were approved by the Board.

Mariziti Major Subdivision Application (cont.) - Board Attorney John T. Pandolfe Jr. said that William Farrell Jr., Board Engineer, was expected to give testimony, but that he was not there at that precise moment. It was suggested that members of the audience take the opportunity to give testimony. Kevin Thomas, attorney for the applicant, had no further testimony.

Noel Hood, 161 Beachfront, testified against the case, mentioning the bulkhead on the property and stating that in his opinion there should only be three houses on the lot.

Mr. Pandolfe asked Mr. Hood if he had any more testimony to present, as this would be his last chance to address the case. The Board, however, made a motion that the public would be given the chance to speak again based on further testimony; the motion was passed. Mr. Pandolfe stated that Mr. Thomas would be given the same opportunity.

The Board suggested a recess of the hearing until Mr. Farrell arrived; 15 minutes was suggested and Mr. Thomas did not object to the proceeding.

Robert Scerrato - Lot 17, Block 62 - 67 Taylor Avenue - single family to commercial use - It was stated that the applicant would represent himself. Robert Hauseal, architect, and Robert Scerrato, 373 Beachfront, applicant, were administered the oath by the Board Attorney. The file was marked.

Mr. Scerrato said he wished to make an office for himself in Manasquan (he presently has an office in Perth Amboy) and hopes to move his business to Manasquan fulltime within the next three to four years.

Mr. Scerrato testified that he is presently not the owner, but rather a contract purchaser of the property. He also testified he has the owner's permission to seek the change.

Mr. Scerrato also mentioned office space for a tenant in the structure.

Mr. Hauseal discussed what the applicant was trying to accomplish. Mr. Scerrato required site plan approval changing the use from residential to commercial offices. The applicant also sought a variance for a sign.

Mr. Hauseal noted that the property is zoned C (commercial). The size of the property is 50 feet by 220 feet, according to testimony.

Mr. Hauseal went on to describe the plans for the property, including the parking spaces, landscaping and the freestanding sign. The sign was projected for between the two trees just to the south side of the sidewalk. Measurements for the sign were 48 inches by 48 inches (16 square feet); it would be three feet off the ground.

Additional permits were also discussed. Mr. Hauseal said the Monmouth County Planning Board has come back and said they have no interest in the property. Monmouth County Soil Conservation Service has not replied to the application. He said the Department of Transportation had made a minor revision to the site plan regarding curb cut.

Mr. Hauseal also noted that based on square footage, six parking lots were required; eight were provided.

The applicant was questioned about the nature of his business, which involves business computers. He said that personnel, at first, would include himself and an assistant in the new office. He said that clientele basically do not come to his office; he is a broker, he said, and does everything with the trade.

Mr. Scerrato said his business would occupy the second floor and the tenant would occupy the first floor. He said the prospective tenant is Professional Auto Leasing. The Board and Board Attorney discussed Professional Auto Leasing's operations with Mr. Scerrato, with the applicant stating clients would only be coming in to basically sign papers.

The Board discussed possible conditions to be placed regarding cars on the property.

The Board Attorney asked the Board Chairman to recess the Scerrato hearing as to get back to the Mariziti matter.

Mariziti case cont. - The hearing on the Mariziti major subdivision continued with testimony from William T. Farrell Jr., Borough Engineer. Mr. Farrell was administered the oath by the Board Attorney.

Mr. Farrell discussed the report he submitted to the Board regarding the project, dated July 5, 1988 and marked exhibit 4 previously.

Mr. Farrell stated that the five units projected would put the density at over 15 units per acre. He also said that two of the units would have no effective frontage.

Mr. Pandolfe asked if Mr. Farrell, from an engineering viewpoint, still had the opinion that the proposal was too dense. Mr. Farrell said he still held that opinion. When asked what he recommended, Mr. Farrell replied that the applicant go back and look at the area to see how they could provide additional areas for parking. He felt that the amount of the plot existing under the water line and lack of frontage contributed to the density.

Mr. Farrell was then questioned by Mr. Thomas about the project and whether it met certain requirements. Mr. Farrell, in response to questions from Mr. Thomas about setbacks, replied that the plan projected was "not a typical lot layout." It was noted that the area under the water line may be calculated in the lot size.

Mr. Thomas asked if each building envelope projected could satisfy a home with the minimum size requirement and front, side and rear yard setback requirements. Mr. Thomas then discussed the density of the particular area. Mr. Thomas also discussed the bulkhead at the site.

Mr. Hood asked Mr. Farrell whether the lots meet the front yard setbacks required.

Kenneth Miller, 90 Stockton Lake Boulevard, asked when the bulkhead had been installed.

Board Member Iannelli asked Mr. Thomas about the lots, inquiring if three do meet the 40 foot bulk requirement for a R5 Zone while the other two do not.

Mr. Pandolfe noted that all the evidence had been presented; there being no further statements from the public, a motion was made and carried to go into executive session regarding the case. The Board Members agreed that the testimony of the fire officials and other experts should be given credence and that the design of the plan was debatable. Mayor Winterstella noted that while computing the area underwater as part of the square footage did meet the letter of the law, it does not necessarily meet the spirit. A motion was made and passed to come out of ~~executive~~ session and ask Mr. Thomas if he wished the hearing continued at a later date and amend the plans, or if he wanted a vote on the matter. The Board also noted that they may look with more favor on an amended plan.

Mr. Thomas, after conferring with his client, announced that the applicant wished a continuance at the January meeting.

It was also noted by the Board that the scale of the map for the site was one inch for every 10 feet. A recommendation was made for a one inch for every 20 feet scale.

Scerrato case cont. - Mr. Hauseal stated he had a chance to review the letter from the Borough Engineer, Mr. Farrell, regarding the project. He stated he would like to read the letter and make his comments as he went along. Discussion included the drainage problems in the area and possible remedies.

Testimony was taken from Mr. Farrell and Planner Paul F. Szymanski.

Mr. Szymanski stated he had several recommendations for the area. He said that in his opinion, a nine square foot sign was adequate. He also discussed difficulties for garbage truck ingress / egress in the area and felt storage of vehicles should be avoided in regards to the auto leasing business.

Helen Clayton, 70 Parker Avenue, said her only objection to the project was that the two parking spots behind the garage would touch the deck area on her property.

Commenting on the sign, Alice Gunther, 63 Taylor Avenue, stated that a 3 x 3 sign was much better than a 16 square foot sign, which she stated was too much for the neighborhood.

There being no further testimony from the public, applicant or Board, the Board went into executive session to discuss the case. Board Member Ronan brought up the issue of the sign. Also discussed were conditions on the auto leasing business re. car storage as well as buffer landscape for the property.

A motion was made and passed to allow a favorable resolution to be drawn up with conditions. The motion was passed unanimously.

Mr. and Mrs. F. Scimeca - Lot 1B, Block 63 - 128 Main Street - the Board agreed to accept the application for the record and continue the hearing at the January regular meeting.

The applicants are represented by Mr. Maguire; the Board Attorney marked the file.

In other business, the JEM case was discussed. The Board Attorney stated that a meeting had been requested and JEM has discussed the possibility of cutting the proposal in half. It was suggested that a subcommittee be formed, including Mr. Szymanski and members of the Board. A December meeting was suggested so that the appellate court could be informed of the intent.

Board Member Iannelli said he would like to see the matter brought before the entire board rather than just a subcommittee.

Mr. Pandolfe suggested a meeting be held with Mr. Szymanski and two members who could start the groundwork on the matter. Their findings would not be binding, stated Mr. Pandolfe.

Board Members Iannelli and Diamond were nominated to serve on the committee; Mr. Pandolfe said he would get back to them on a time and date.

The motion was made and carried unanimously to adjourn.

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

MANASQUAN PLANNING BOARD
MINUTES
SPECIAL MEETING
MASTER PLAN
DECEMBER 6, 1988

The Planning Board of the Borough of Manasquan held a special meeting to discuss the Master Plan on December 6, 1988. The meeting was called to order by Board Chairman William Donovan at 6 p.m.

Roll Call: Present: Mr. Donovan, Mayor Winterstella, Mr. Iannelli, Mr. Stanley, Mr. Ruf, Mr. Diamond, Mr. Waltzinger, Mrs. Ronan.

Absent: Mrs. Danish.

The Board Attorney, Secretary and Planner were also present.

Paul F. Szymanski, planner, discussed the evening's agenda, which he said would relate to 1.) the relationship between the municipal master plan and the state redevelopment plan, and 2.) the C-Zone along Taylor Avenue. He also discussed topics for the January, February and March master plan meetings, including identification of any vacant land, zoning classifications, draft of a housing plan and any zoning changes to be made.

Mr. Szymanski noted that the New Jersey State Planning Commission is presently finishing up its Preliminary Plan, which is expected to be released December 19, 1988. After that, the state will initiate a cross acceptance phase; this will permit local communities to offer input into state or local plans.

The Board once again discussed the COAH and Fanwood situation, and Board Attorney John T. Pandolfe Jr. stated that in order for someone to create a redevelopment project, they would have to assemble a large plot of land.

In regards to the Draft Preliminary State Plan, Mr. Szymanski reported that Manasquan has been designated a Tier 2 Growth Area for the geographic area west of the New Jersey Transit railroad and as a CAFRA development region east of the railroad. A Tier 2 Growth area is "A Stable City and Suburb". Its primary goal in the state plan is to sustain some growth while preserving the character of the community and the quality of life. Infill development and *redevelopment* should be combined with needs for public service requirements in the area according to the plan, said Mr. Szymanski. The CAFRA Development Region, states

The Coastal Area Facility Review Act, is largely developed; from a coastwide angle, any development in this area would be infill. Development in this region is preferred over development in other regions, with infill, extension and some scattered development acceptable.

Board Member Stanley asked Mr. Szymanski to define infill and redevelopment. Mr. Szymanski said that infill basically means use of vacant land while redevelopment is when one assembles land with buildings on it that are in poor condition and then tears the buildings down.

Mr. Szymanski also noted that the state plan calls for municipalities lacking in vacant land and who will depend on redevelopment for new growth to prepare a redevelopment element as part of their updated master plan. He said that he did not think it was necessary in Manasquan yet and that it was "almost like targeting certain areas for some kind of land use change over time." Mr. Szymanski said that some of the areas needing upgrading will be targeted in master plan sessions. He also told the Board that they could change the Master Plan or zoning ordinance at any time.

Board Chairman Donovan brought up the issue of the area by the Osprey (First and Third Avenues, Main Street and Brielle Road), stating that a proposal had been brought before the Board to place condominiums there. Mr. Szymanski stated that he would be bringing that particular area up for discussion at the January meeting, commenting that he would raise the issue of whether the area should retain a B2 (resort business) designation or be changed.

Mr. Szymanski said he did not think that there would be anything in the state plan which would upset Manasquan or visa-versa. He said the only conflict may be open spaces vs. development.

Mr. Szymanski then started to discuss the C (commercial) zone located along Taylor Avenue. Topics included parking and possible zoning changes in the area. He suggested an idea to construct a common road which would provide ingress and/or egress to the buildings there. He also commented that unless something of that nature was done, a real traffic problem could develop in that area.

The Board discussed with the Planner possible areas of entry and exit from such a cross passageway.